I believe that the cost to accomplish the purposes of my bill is very modest in terms of our overall national expenditures, and yet the dividends which it may pay are in many ways, as great as those resulting from the billions spent in other programs which seek to insure our national survival. I do not presume, however, that this bill offers a panacea for the enormous problems which the Nation faces in its future relations with mainland China. Nevertheless, alternatives to nuclear holocaust must be found if the earth is to continue to support human life, and this legislation at least moves us down the path to finding these more desirable alternatives.

Our resources are finite and on the basis of priorities, Communist China with a 12,000-mile border, containing one-quarter of the world's population and rapidly becoming a nuclear power, commands our immediate attention. In future years other problems may become paramount, but for the moment we must establish some form of lasting rapport with Communist China which will permit the mutual existence of both countries.

SENATE

TUESDAY, AUGUST 29, 1967

The Senate met at 11 o'clock a.m., and was called to order by the President pro tempore.

Rev. Edward B. Lewis, minister, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

Dear God, our Heavenly Father, we are aware of that from which we live and move and have our being. This moment of meditation and prayer reminds us of our insignificance when we consider that each of us is such a small part of a great universe. Yet, this moment also helps us to see how important we are as individuals in the chain of life's creation. We are a link as persons. We can weaken or strengthen the whole through our calling and fulfillment as we serve. Therefore, O God, wherein we may be weak apply Thy strength. Breathe into our beings calmness, faith, hope, and love, making spiritual strength within, thus making possible intelligent approaches to the demands and necessities of the day.

Be with the nations of the world in finding peace. Bless leaders of responsibility. Minister to those who suffer and die because of war. Give wisdom and guidance in the desire to end all conflict.

Bless the proceedings of this High Chamber of government. We pray in the Master's name. Amen.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States requesting the withdrawal of the following treaties was communicated to the Senate by Mr. Jones, one of his secretaries:

Executive H, 86th Congress, first session, protocol dated at The Hague, September 28, 1955, to amend the Convention for the Unification of Certain Rules Relating to International Carriage by Air, signed at Warsaw on October 12, 1929; and

Executive L, 86th Congress, second session, convention (No. 109) concerning wages, hours of work on board ship, and manning, adopted by the International Labor Conference at its 41st (maritime) session, Geneva, May 14, 1958.

The message was referred to the Committee on Foreign Relations.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILL

A message in writing from the President of the United States was communicated to the Senate by Mr. Jones, one of his secretaries, and he announced that on August 27, 1967, the President had approved and signed the act (S. 1111) to authorize the Secretary of the Interior to construct, operate, and maintain the San Felipe division, Central Valley project, California, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 1633) to amend the act of June 12, 1960, relating to the Potomac interceptor sewer, to increase the amount of the Federal contribution to the cost of that sewer.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5709. An act to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes; and

H.R. 12505. An act to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred to the Committee on the District of Columbia:

H.R. 5709. An act to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes; and

H.R. 12505. An act to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Monday, August 28, 1967, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF SENATOR BROOKE

The PRESIDING OFFICER (Mr. HOLLINGS in the chair). Under the previous order, the Chair recognizes the Senator from Massachusetts [Mr. BROOKE].

Mr. MANSFIELD. Mr. President, will the Senator yield to me for 3 minutes?

Mr. BROOKE. I yield.

Mr. MANSFIELD. I thank the distinguished Senator from Massachusetts for yielding to me.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 527 and the succeeding measures in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE MARKETING QUOTA PROVISIONS OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

The bill (S. 1564) to amend the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the first sentence of section 313(g) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"Notwithstanding any other provision of this section, the Secretary may convert the national marketing quota into a national acreage allotment by dividing the national marketing quota by the national average yield for the five years immediately preceding the year in which the national marketing quota is proclaimed, and may apportion the national acreage allotment, less a reserve of not to exceed 1 per centum thereof for new farms, for making corrections in old farm acreage allotments, and for adjusting inequities in old farm acreage allotments, through the local committees among farms on the basis of the factors set forth in subsection (b), using past farm acreage and past farm acreage allotments for tobacco in lieu of past marketing of tobacco; and the Secretary on the basis of the factors set forth in subsection (c) and the past tobacco experience of the farm operator, shall through the local committees allot that portion of the national acreage allotment reserved for new farms among farms on which no tobacco was produced or considered produced during the last five years."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 544), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would facilitate the computation of tobacco acreage allotments by providing for conversion of the national marketing quota for tobacco into a national acreage allotment to be apportioned among farms.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

At present the national quota is apportioned to States and then converted into State acreage allotments for apportionment among farms.

Apportionment of the national quota among States at present is based on past State production. In computing past State production, the Department makes separate computations for farms which under various programs are considered as having planted tobacco. The Department further deducts from the State production base the production from acres planted in excess of, or without, a farm allotment. By means of adjustments for weather and other factors, the Department reaches a uniform adjustment factor for all farms. The bill would achieve the same result without the various computations that have been heretofore made.

At present a reserve for new farms of up to 5 percent of the national quota is permitted, but the Department never exceeds a 1-percent reserve. The bill would provide for a maximum reserve of 1 percent.

CONVEYANCE OF CERTAIN LANDS TO THE CITY OF GLENDALE, ARIZ.

The Senate proceeded to consider the bill (S. 974) to authorize the Secretary of Agriculture to convey certain lands to the city of Glendale, Ariz., which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 3, after the word "That", to insert a comma and "should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended,"; and, on page 2, after line 20, to strike out:

SEC. 3. The consideration to be paid by the city of Glendale, Arizona, for the lands conveyed under this Act shall be fixed by the Secretary of Agriculture in the same manner as the Secretary of the Interior fixes the price for lands sold under section 2(a) of the Act entitled An Act to authorize acquisition or use of public lands by States, counties, or municipalities for recreational purposes", approved June 14, 1926 (44 Stat. 741; 43 U.S.C. 869–1).

So as to make the bill read:

S. 974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, should such land become surplus property pursuant to the Federal Property and Administrative Services Act of 1949, as amended, the Secretary of Agriculture is authorized and directed to convey to the city of Glendale, Arizona, all right, title, and interest of the United States in and to those lands constituting the grounds of the Southwest Poultry Experiment Station, located in the city of Glendale, Arizona, which station has been scheduled for closing in the near future by the Department of Agriculture. The lands authorized to be conveyed by this Act, consisting of approximately twenty acres, the exact legal description of which shall be determined by the Secretary of Agriculture, shall be made only after a final determination has been made by the Secretary that such lands are no longer needed by the Department of Agriculture for poultry research purposes or for any other purpose. After such a determination has been made by the Secretary and before the conveyance of such lands is made, the Secretary shall make such disposition of improvements and facilities located on such lands as he deems to be in the best interest of the United States.

SEC. 2. The conveyance authorized by the first section of this Act shall provide that the lands so conveyed shall be used by the city of Glendale, Arizona, for public park or recreational purposes only, and if they shall ever cease to be used for such purposes the title to such lands shall revert to the United States which shall have the immediate right of reentry thereon. Such conveyance may be made subject to such other terms, conditions, and restrictions as the Secretary of Agriculture deems appropriate.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 546), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SHORT EXPLANATION

The bill directs the Secretary of Agriculture to convey to Glendale, Ariz., approximately 20 acres constituting the Southwest Poultry Experiment Station. The conveyance would be made only after the Secretary has determined that the lands are no longer needed by the Department and he has made such disposition of the improvements as he deems in the best interest of the United States. The land would be subject to a reverter if not used for park or recreational purposes only.

COMMITTEE AMENDMENTS

The committee amendments—

(1) Condition the conveyance upon a determination by the General Services Administration under the Federal Property and Administrative Services Act of 1949 that there is no further need of the property by any Federal agency,

(2) Make it clear that the property shall revert to the United States if it ceases to be used for "public" purposes, and

(3) Strikes out the provision for a nominal consideration.

The amendments relating to surplus determination and consideration were recommended by the Department of Agriculture, which pointed out that the consideration originally provided by the bill amounted to only about $2.50 per acre, and that a substantial part of the land had been donated to the Federal Government.

AMENDMENT OF THE FEDERAL FARM LOAN ACT

The Senate proceeded to consider the bill (S. 1568) to amend the sixth paragraph of section 12 of the Federal Farm Loan Act, as amended, relating to restrictions on eligibility for loans by Federal land banks which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 9, after "(A)", to strike out "the"; and, on page 2, line 4, after the word "adequate", to strike out "under rules and regulations prescribed by the board of directors of the Federal land bank concerned" and insert "without such personal liability under rules and regulations prescribed by the Farm Credit Administration"; so as to make the bill read:

S. 1568

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That clause (2) of the fourth sentence of paragraph 6 of section 12 of the Federal Farm Loan Act, as amended (12 U.S.C. 771), is amended to read as follows: "(2) the term 'corporation' includes any incorporated association; but no such loan shall be made to a corporation unless the principal part of its income is derived from farming operations and unless (A) owners of stock in the corporation assume personal liability for the loan to the extent required under rules and regulations prescribed by the Farm Credit Administration, or (B) the security for the loan is determined to be adequate without such personal liability under rules and regulations prescribed by the Farm Credit Administration."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 547), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

At present a Federal land bank loan may be made to a corporation only if owners of its stock assume personal liability to the extent required by Farm Credit Administration rules. As introduced, this bill provides for waiving this requirement if the security for the loan is determined adequate under rules prescribed by the bank's board of directors. The committee amendments would (1) provide for the Farm Credit Administration, rather than the individual land banks, prescribing rules for determination of the adequacy of the security, and (2) strike out the word "the" to make it clear that the banks may require some of the stockholders to assume personal liability without requiring all of them to assume such liability. As amended by the committee amendments the bill is identical in effect to section 2(c) of S. 2822, as that bill passed the Senate last year.

ESTABLISHMENT OF A NATIONAL ADVISORY COMMITTEE

The bill (S. 1477) to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1477

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifth sentence of section 301 of title III of the Act to provide for further research into basic laws and principles relating to agriculture and to improve and facilitate the marketing and distribution of agricultural products, approved August 14, 1946 (60 Stat. 1091), is amended to read as follows: "The committee shall meet annually and at such other times as are deemed necessary."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 543), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill would reduce the number of meetings required to be held by the Marketing Research Advisory Committee from quarterly to once each year. Additional meetings could still be held whenever necessary. Requiring meetings more often than necessary to accomplish the objective of the act results in (1) unnecessary costs for travel and sub-

sistence, and (2) scheduling of meetings at the end of one quarter and the beginning of the next.

SALE AND REPLACEMENT OF PLEASANTON PLANT MATERIALS CENTER

The bill (H.R. 547) to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 545), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This bill authorizes sale of the Pleasanton Plant Materials Center to Alameda County, Calif., for not less than fair market value. The sales proceeds would be available until expended for costs of acquisition, construction, and removal to a replacement plant materials center. The Department of Agriculture favors enactment, because urbanization of the present site is making it increasingly difficult to maintain the genetic purity of plant materials being developed and improved, and is otherwise incompatible with the Center's objectives. The Department contemplates that under the terms of the proposed sale the Pleasanton Center would continue in operation until a new center could be acquired and in operation, a period of as long as 6 years. The Department advises that the proposed transfer and relocation would be of benefit both to the United States and the county.

ISSUANCE OF GOLD MEDAL TO THE WIDOW OF WALT DISNEY AND BRONZE MEDALS TO THE CALIFORNIA INSTITUTE OF THE ARTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 525, Senate Joint Resolution 93.

The PRESIDING OFFICER. The joint resolution will be stated by title.

The legislative clerk read the joint resolution, as follows:

S.J. RES. 93

A joint resolution (S.J. Res. 93) to provide for the issuance of a gold medal to the widow of the late Walt Disney and for the issuance of bronze medals to the California Institute of the Arts in recognition of the distinguished public service and the outstanding contributions of Walt Disney to the United States and to the world.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to the consideration of the joint resolution, which had been reported from the Committee on Banking and Currency, with an amendment, on page 3, line 13, after the word "of", where it appears the first time, to strike out "$2,500" and insert "$3,000"; so as to make the joint resolution read:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, in recognition of the distinguished public service and outstanding contributions to the United States and to the world, the President of the United States is authorized to present in the name of the people of the United States and in the name of the Congress to the widow of the late Walt Disney a gold medal with suitable emblems, devices, and inscriptions to be determined by Walt Disney Productions with the approval of the Secretary of the Treasury. The Secretary shall cause such a medal to be struck and furnished to the President. There is hereby authorized to be appropriated the sum of $3,000 to carry out the purposes of this section.

SEC. 2. (a) The Secretary of the Treasury shall strike and furnish to the California Institute of the Arts not more than one hundred thousand duplicate copies of such medal in bronze. The medals shall be considered as national medals within the meaning of section 3551 of the Revised Statutes (31 U.S.C. 368).

(b) The medals provided for in this section shall be made and delivered at such times as may be required by the California Institute of the Arts in quantities of not less than two thousand. The Secretary of the Treasury shall cause such medals to be struck and furnished at not less than the estimated cost of manufacture, including labor, materials, dies, use of machinery, and overhead expenses, and security satisfactory to the Director of the Mint shall be furnished to indemnify the United States for full payment of such costs.

Mr. KUCHEL. Mr. President, in December of 1966, the world mourned the loss of a most unique and talented individual—Walt Disney. Imposing and heart-moving tributes poured out to this outstanding American from around the world.

His name is legendary not only in the United States but also throughout the world. His creations and characters have been able to leap the boundaries and barriers of nations, languages, and ideologies. The world always will respond warmly to the magic that is Disney's. For this "magic," Walt Disney received more than 950 honors and citations from all over the world including 31 Academy Awards, five Emmies, honorary degrees from many universities, and the Presidential Medal of Freedom.

Today, the U.S. Senate, by approving Senate Joint Resolution 93, will add yet another honor to the memory of Walt Disney. But we do so in a way which he would have preferred—by helping young people interested in the creative and performing arts.

The resolution before the Senate today will authorize not only a gold medal to be presented to Walt Disney's widow, but also will authorize the striking of not more than 100,000 bronze medals to be ordered and paid for by the California Institute of the Arts as a means of raising funds.

Walt Disney was instrumental in establishing the institute in 1961. He conceived of it as a place where all the performing and creative arts would be taught under one roof in a "community of the arts." Walt looked upon this school as his final contribution to a world that had given him riches, awards, and personal satisfaction. Of it, he said:

It's the principal thing I hope to leave when I move on to greener pastures. If I can help provide a place to develop the talent of the future, I think I will have accomplished something.

By approving Senate Joint Resolution 93, a proposal of which I am a cosponsor, the Senate will be helping Walt Disney fulfill his dream to develop the talent of the future.

Mr. President, my distinguished colleague from California [Mr. MURPHY], is the principal author of Senate Joint Resolution 93. As Senators know, he is on a special mission overseas in Vietnam and Southeast Asia. I ask unanimous consent that the excellent statement which he had prepared in connection with Senate action on the resolution be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR MURPHY

On June 20, I introduced Senate Joint Resolution 93 which authorizes the President of the United States on behalf of the American people and the Congress to present to the widow of Walt Disney a gold medal in recognition of his outstanding contributions to the United States and to the world. The resolution also authorizes the striking of up to 100,000 duplicate bronze medals which will be ordered and paid for by the California Institute of the Arts, a college-level, professional school for the creative and performing arts. The resolution was co-sponsored by a majority of the full Senate, Senators Mansfield and Dirksen, Majority Leader and Minority Leader, the Chairman and ranking Republican of the Banking and Currency Committee, Senators Sparkman and Bennett, and the majority of the membership of that distinguished Committee. The 52 Senators co-sponsoring the resolution are:

Allott, Gordon	Kuchel, Thomas H.
Baker, Howard H., Jr.	Long, Edward V.
Bennett, Wallace F.	McClellan, John L.
Bible, Alan	McGee, Gale W.
Brooke, Edward W.	Miller, Jack
Burdick, Quentin N.	Morton, Thruston B.
Carlson, Frank	Moss, Frank E.
Church, Frank	Mundt, Karl
Cotton, Norris	Muskie, Edmund S.
Curtis, Carl T.	Nelson, Gaylord
Dirksen, Everett M.	Pearson, James B.
Dominick, Peter H.	Pell, Claiborne
Eastland, James O.	Percy, Charles H.
Ervin, Sam J., Jr.	Prouty, Winston
Fannin, Paul J.	Randolph, Jennings
Gruening, Ernest	Scott, Hugh
Hartke, Vance	Smathers, George A.
Hatfield, Mark O.	Sparkman, John
Hickenlooper, Bourke B.	Spong, William B., Jr.
	Symington, Stuart
Holland, Spessard L.	Thurmond, Strom
Hruska, Roman L.	Tower, John G.
Inouye, Daniel K.	Tydings, Joseph D.
Jackson, Henry M.	Williams, Harrison A., Jr.
Javits, Jacob K.	
Jordan, Len B.	Yarborough, Ralph
Kennedy, Robert F.	

In introducing the resolution, I said on the Senate floor: "Walt Disney was a unique man. To the end of his days, Mr. Disney remained an idealist in a world of cynics. In an age where men live each day with the awesome knowledge that they have the nuclear power to turn this planet into radioactive dust, Walt Disney celebrated in his every creative act the innocence, joy, and optimism of childhood."

Walt Disney's name is not only legendary in the United States but throughout the world. His work is universally loved. His creations and characters have been able to leap the boundaries and barriers of nations, languages, and ideologies. The world over warmly responds to the magic that is Disney's. For this "magic" Walt Disney has received more than 950 honors and citations from all over the world including 31 Academy Awards, five Emmys, honorary degrees from

many universities, and the Presidential Medal of Freedom.

While Senate Joint Resolution 93 may not be on the legislative priority list, perhaps this resolution, at a time when one cannot read or hear a report without being exposed to the troubles of the world, is just what is needed. It would seem most appropriate for this country and the Congress to pause and honor one whose eyes were always able to see through the immediate world storms and over the horizon to the rainbow leading to a better tomorrow. For Walt Disney was able to capture the brighter and better side of life. His success has been recorded countless times in the flashing smiles and laughter of children of all ages the world over. Walt Disney never lost faith in his belief that good would ultimately triumph over evil. It is the same faith which helped forge the young Nation in 1776. It is the same faith which has sustained and made our Nation prosper down through the years. It is the same faith that is so needed today if peace and freedom are to reign not only at home but throughout the world.

Walt believed it possible; our task is to make it a reality. In the meantime the world can be grateful to Walt Disney for his many "spoonfuls of medicine" which have made life in this imperfect world brighter and more enjoyable.

Mr. HOLLAND. Mr. President, Walt Disney was greatly admired by all Americans and by countless people of many other nations of the world for his gift to mankind of clean and wholesome recreation for our children and for grown-ups as well.

He worked unceasingly to provide the entertainment that would be acceptable to all people. Millions of persons, from far and near, have visited Disneyland in the golden State of California. Walt Disney rendered a great national service both at Disneyland and through the television medium. In his ambition to bring additional, imaginative entertainment and to further pictorialize the fantasies that live in the minds of many of our children; he purchased some 27,000 acres of land in Orange County, south of Orlando, in the Sunshine State of Florida, for the purpose of creating another Walt Disney enterprise, estimated to cost $500 million, in the eastern part of the Nation, for the enjoyment of millions of people, young and old.

The untimely passing of Walt Disney left this dream of his in the embryonic stage, but I understand that it will be completed under the able leadership he left behind. It will be another wonderful monument to a great artist.

Mr. President, I am most pleased to be a cosponsor of the pending resolution. It gives official recognition by our Government to the outstanding contributions and the distinguished public service of Walt Disney.

The amendment was agreed to.

The joint resolution, as amended, was agreed to.

Mr. DIRKSEN. Mr. President, in connection with Senate Joint Resolution 93, the report is quite informative, and I ask unanimous consent that various excerpts from the report be printed in the RECORD.

There being no objection, the excerpts from the report (No. 541) were ordered to be printed in the RECORD, as follows:

GENERAL STATEMENT

Senate Joint Resolution 93 was introduced by Senator Murphy for himself and other Senators on June 20, 1967. The joint resolution would authorize the President to present a gold medal to the widow of Walt Disney in the name of the people of the United States and the Congress. The gold medal's emblems, devices, and inscriptions are to be determined by the Walt Disney Productions with the approval of the Secretary of the Treasury. The gold medal will be struck and furnished to the President. The joint resolution contains an authorization for appropriation to cover the cost of the gold medal.

The joint resolution also directs the Secretary of the Treasury to strike and furnish to the California Institute of the Arts not more than 100,000 duplicate copies of the medal in bronze. These medals will be considered national medals within the meaning of section 3551 of the Revised Statutes. The medals will be struck at no cost to the United States since security to cover their costs shall be furnished to cover all cost of manufacture.

COMMITTEE AMENDMENT

In order to cover the increase in cost of the striking of the gold medal, the Department of the Treasury recommended that the amount authorized to be appropriated under this joint resolution be increased from $2,500 to $3,000. The committee agreed to this recommendation.

WALTER ELIAS DISNEY

During a 43-year Hollywood career, which spanned the development of the motion picture medium as a modern American art, Walt Disney, a modern Aesop, established himself and his product as a genuine part of Americana. David Low, the late British political cartoonist, called Disney "the most significant figure in graphic arts since Leonardo." A pioneer and innovator, and the possessor of one of the most fertile imaginations the world has ever known, Walt Disney received more than 950 honors and citations from every nation in the world, including 31 Academy Awards; five Emmys; honorary degrees from Harvard, Yale, the University of Southern California, and UCLA; the Presidential Medal of Freedom in 1964; decoration by the French Legion of Honor and Officer d'Academie, France; the Art Workers Guild of London; Brazil's Order of the Southern Cross; Mexico's Order of the Aztec Eagle; and the Showman of the World Award from the National Association of Theatre Owners in 1966.

The creator of Mickey Mouse and founder of Disneyland was born in Chicago, Ill., on December 5, 1901. His father, Elias Disney, was an Irish-Canadian. His mother, Flora Call Disney, was of German-American descent. Raised on a farm near Marceline, Mo., Walt early became interested in drawing, selling his first sketches to neighbors when he was only 7 years old.

At McKinley High School in Chicago, Disney divided his attention between drawing and photography, contributing to the school paper. At night he attended the Academy of Fine Arts.

During the fall of 1917, Disney attempted to enlist for military service in both the United States and Canada. Rejected because he was only 15 years of age, Disney joined the Red Cross and was sent overseas, where he spent a year driving an ambulance and chauffeuring Red Cross officials. His ambulance was covered from stem to stern, not with stock camouflage, but with Disney cartoons.

After the war, Walt did not complete his education, but began his career as an advertising cartoonist in Kansas City. Here, he perfected a new method for animation and, in 1920, created and marketed his first original animated cartoons.

In August of 1923, Walt Disney left Kansas City for Hollywood with nothing but a few drawing materials, $40 in a well-worn suit, and a completed animated fairy tale subject. Walt and his brother, Roy O. Disney, formed a partnership, sent the fairy tale to New York, received an order, and together produced the first "Alice" cartoon in the back of a Hollywood real estate office.

On July 13, 1925, Walt married Lillian Bounds in Lewiston, Idaho. They were blessed with two daughters, Diane and Sharon, and seven grandchildren.

Mickey Mouse was born in 1927, making his debut in a silent cartoon entitled "Plane Crazy." In 1928, Mickey starred in the world's first sound cartoon, "Steamboat Willie," Walt Disney's first contribution in his endless drive to perfect the art of animation. Full color was introduced to animation during the production of his "Silly Symphonies." In 1932, the production entitled "Flowers and Trees" won Walt the first of his 31 Academy Awards.

"Snow White and the Seven Dwarfs," the first full-length animated musical feature, was produced at the unheard of cost of $2 million during the depths of the depression. It is still accounted as one of the great feats and imperishable monuments of the motion picture industry. During the next 5 years, Disney completed such other full length animated classics as "Pinocchio," Fantasia," "The Reluctant Dragon," "Dumbo," and "Bambi."

During World War II, 94 percent of the Disney facilities were engaged in special Government work, including the production of training films for the armed services and pictures on health still used throughout the world by the U.S. State Department. The remainder of his efforts were devoted to the production of comedy short subjects, deemed highly essential to civilian and military morale.

Disney's first postwar feature, the musical "Make Mine Music," combined live action with the cartoon medium, a process he used successfully in such other features as "Song of the South" and the highly acclaimed "Mary Poppins."

His inquisitive mind and keen sense for education through entertainment resulted in the award-winning true-life adventure series. Through such films as "The Living Desert," "The Vanishing Prairie," "The African Lion," and "White Wilderness" Disney brought fascinating insights into the world of wild animals and taught the importance of conserving our Nation's outdoor heritage.

Disneyland, launched in 1955 as a fabulous $17 million magic kingdom, now represents an investment of more than $90 million and has been visited by more than 65 million people, including Presidents', Kings and Queens, and royalty from all over the globe. Disneyland represents Walt Disney's grandest adventure in public entertainment and the acme of his showmanly experience. It is a place where audiences, particularly family groups, may actually participate in the excitement, thrills, and fantasy to which Walt devoted a lifetime of work.

A pioneer in the field of television programing, Disney entered the field of television production in 1954, and was among the first to present full-color programing with his "Wonderful World of Color" in 1961.

But that was only the beginning. In 1965, Walt Disney turned his attention toward the problem of improving the quality of urban life in America. He personally directed the design of an experimental prototype community of tomorrow, planned as a living showcase for the creativity of American industry. Said Disney, "I don't believe there is a challenge anywhere in the world that is more important to people everywhere than finding the solutions to the problems of our cities. But where do we begin? Well, we're convinced we must start with the public need. And the need is not just for curing the old ills of old cities. We think the need is for starting from scratch on virgin land and building a community that will become a prototype for the future."

Thus, Disney directed the purchase of 43

square miles of Virgin land—twice the size of Manhattan Island—in the center of the State of Florida. Here, he master planned a whole new Disney World of entertainment, to include a new amusement theme park, motel-hotel resort vacation centers, an industrial complex, an airport of the future, and his Experimental Prototype Community of Tomorrow. His staff is now moving forward with the first phase of this development, scheduled to open to the public in early 1971. It will be a blueprint of the future, where people actually live a life they can't find anywhere else today.

During 1965, Disney's attention also turned to the public's increasing need for additional outdoor recreational facilities. After intensive competition, the U.S. Forest Service, a division of the Department of Interior, chose Walt Disney and his organization to develop an all-year outdoor recreational facility at Mineral King in the Sierra Nevada Mountain Range of California. Given the cooperation and support of the State of California, the U.S. Park Service and the U.S. Forest Service, Walt Disney's dream of providing a tasteful outdoor recreation area for the people of California will be a reality by October 1973.

The California Institute of the Arts is a college level, professional school of all the creative and performing arts in which Walt Disney had a great love and a great interest and was instrumental in establishing. Of California Arts, Walt once said: "It's the principal thing I hope to leave when I move on to greener pastures. If I can help provide a place to develop the talent of the future. I think I will have accomplished something."

California Institute of the Arts was founded in 1961 with the amalgamation of two schools, the Los Angeles Conservatory of Music and Chouinard Art Institute. The new 60-acre campus will be located in the new city of Valencia, 32 miles northeast of downtown Los Angeles. Walt Disney conceived of the new school as a place where all the performing and creative arts would be taught under one roof in a "community of the arts" as a completely new approach to professional arts training. In addition to the present schools of music and arts, the institute's new campus will have schools of theater, design and cinematographics. There also will be centers of sculpture, ceramics and fashion design. Ground breaking is expected to take place in March of 1968.

Walt Disney is a legend, a folk hero of the 20th century. His world-wide popularity was based upon the ideals which his name represents: imagination optimism, and self-made success in the American tradition. Walt Disney did more to touch the hearts, minds, and emotions of millions of Americans than any other man in the past century. Through his work he brought joy, happiness, and a universal means of communication to the people of the world. Certainly, our world shall know but one Walt Disney.

The preamble was agreed to.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. DIRKSEN. Mr. President, will the Senator from Massachusetts yield?

Mr. BROOKE. I yield to the distinguished minority leader.

Mr. DIRKSEN. I thank the Senator.

LEAVE OF ABSENCE

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the Senator from Iowa [Mr. HICKENLOOPER] and the Senator from California [Mr. MURPHY] be excused from attending sessions of the Senate for the next 10 days, in view of the fact that they are part of the entourage that has gone to Vietnam to observe the elections.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I make the same request, and on the same basis, with respect to the distinguished Senator from Maine [Mr. MUSKIE].

The PRESIDING OFFICER. Without objection, it is so ordered.

PESTICIDES

Mr. DIRKSEN. Mr. President, quite often people ask, "Do chemical pesticides constitute a hazard to human beings?" In his Chicago Tribune copyrighted column "How To Keep Well," T. R. Van Dellen, M.D., presents some rather interesting facts which should dispel the fear of those who ask the question.

Dr. Van Dellen reports that of the approximate 190 deaths attributed to pesticides annually, about one-half result from accidental ingestion.

The classic story is a sad one. Pesticides are transferred from the original container to a milk or soda bottle and an innocent child tragically drinks it. Pesticides, like other potentially dangerous items, should be kept out of reach of children. The directions on the labels should be carefully followed.

No one can deny the necessity of pesticides—they protect our food crops and help provide us with an abundance of food. In some areas of the United States, we are able to utilize the land for agricultural purposes only because pesticide chemicals are available to control insects.

These pesticides also are an essential tool in protecting our public health.

I was happy to note that the market basket study conducted by the Food and Drug Administration shows that pesticide residues in our food supply are well within the acceptable daily intake established by the World Health Organization.

I ask unanimous consent that Dr. Van Dellen's article, which appeared in the Chicago Tribune of July 15, 1967, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW TO KEEP WELL—SAFETY OF PESTICIDES

(By T. R. Van Dellen, M.D.)

Do chemical pesticides constitute a hazard to human beings? A recent federal investigation balanced the great benefits against the risks and concluded that any dire health effects remain to be proved. Properly used insecticides are an integral part of modern civilization.

Approximately 190 deaths a year can be attributed to pesticides. According to W. M. Upholt and P. C. Kearney, writing in the New England Journal of Medicine, half of these result from accidental ingestion. They tell the story about the gardener who obtained parathion from a farmer. The substance was put into an old wine bottle and someone mistook it for a beverage with fatal results.

Carelessness is the next most common cause of death from insecticides. The worker does not clean his clothing after spraying or takes his own medicine as an antidote when symptoms develop.

Recent fish kills in Alabama were attributed to runoff from agricultural applications. The chemicals did not induce illness in man even tho the water and fish were consumed.

Many types of pesticides are used in various areas. Only a minute amount is used to kill the pest. The remainder undergoes chemical changes in the air, water, soil, or as a residue on plants. Contaminants in the earth are detoxified by soil bacteria, fungi, and other organisms. This explains why they do not show a progressive build-up. Some remain active on plants for 24 hours. Vegetables on which the 30-day type is applied are not harvested for a month.

To date pesticides have not been found in the 30,000 cubic miles of ground water that supplies three-quarters of our municipal water facilities. This vast reservoir lies under 85 per cent of the land area.

THE ADMINISTRATION OF LOW AND MODERATE INCOME HOUSING PROGRAMS

Mr. BROOKE. Mr. President, on August 7, 1967, I addressed the Senate on a problem which is of major importance and concern to millions of Americans who have been promised and desperately need better housing. I pointed out that the low and moderate income housing programs, specifically, the program under section 221(d)(3) of the National Housing Act which should be meeting that urgent need, is not operating with efficiency expedition, or, it seems, a genuine commitment to making progress, as it is presently administered by the Federal Housing Administration.

In response to my remarks, I received a letter from the Secretary of Housing and Urban Development, Dr. Robert Weaver, commenting on the 221(d)(3) project in Malden, Mass., which was the focus of my remarks, and which has been delayed by FHA processing and requirements for 27 months. The Secretary also commented on the requirements of the contractor obtaining a 100-percent performance bond which has held up the Malden project for the last 4 months; and he made comments on FHA policies, procedures and results in response to my criticisms.

Mr. President, I ask unanimous consent that the text of the Secretary's letter be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BROOKE. Mr. President, before I comment on the Secretary's response, I want to make it clear that my remarks in regards to FHA's operation of the Nation's low-income housing programs are not simply criticism for the sake of criticism; nor are they the result of an "isolated case" in my own Commonwealth which has dimmed the prospect for better housing for the people of Malden, Mass. Nor are they an attempt to engage in endless and fruitless debate over personalities or particular administrative procedures. I am interested in results. We have the programs, including

the 221(d)(3) below-market-interest-rate program, the rent supplement program and the leased housing program which, if adequately funded and properly administered and coordinated, could go a long way toward producing and making available the housing we need in this country for people who do not have decent, safe, livable housing available to them today.

I am not convinced that the Federal Housing Administration is committed to progress in this area and the Secretary's letter leaves me unconvinced.

The frustratingly slow progress which has been made toward the construction of 108 units of 221(d)(3) housing in Malden, Mass., is not an "isolated case."

The average time for FHA project processing is 18 months, and the FHA official responsible for the 221(d)(3) and rent supplement programs made the statement that 15 to 18 months was not unreasonable. An FHA official admitted recently that "it takes 3 months just to say 'No' to somebody." The Malden project has been in the works for 27 months.

The project is not complicated. If anything, because of the factors involved, it should have moved rapidly through FHA procedures. A similar project had been completed 3 years ago in the city. The builder had extensive experience with such projects, having successfully completed six 221(d)(3)'s including the one in Malden. The packager had extensive experience with the 221(d)(3) program and is responsible for assembling 5 percent—2,000 units—of the existing 221(d)(3) housing in the country. In fact, a number of his projects were used as examples in a recent HUD publication called "Nonprofit Sponsored Housing for Open Occupancy." In May of this year, the same packager was asked if he was available to work as an operations specialist for FHA.

The sponsor of this project, the Agudas Achim Congregation, is a responsible religious organization, committed to the production of this new housing. The site was an urban renewal site which meant reduced land costs and the Malden Redevelopment Authority and the mayor of Malden were actively cooperating to see that this project moved ahead.

The Malden project was exceptional only for the high degree of commitment and expertise among the participants in the project. The delays involved on the part of FHA were more than usual, but not unusual in FHA experience.

For example, the Secretary states:

> When FHA was ready to commit, the sponsor came in with an entirely new site plan rendering previous processing useless.

The fact is that the need for adjustment of the site plan arose when the city widened the street 10 feet. The statement that such a minor change "rendered previous processing useless" typifies the inflexible attitude often found in FHA and the unwillingness to do all that can be done so that necessary adjustments in costs or plans will not cause significant delays. There is no reason why an adjustment in the site plan should have rendered previous processing useless. If commercial housing developments, conventionally financed, suffered from the same attitude toward development of their plans, nothing would be built in this country.

To contrast the Malden situation with another case that shows FHA's ability to work with speed, the Secretary points to a project on 114th Street in New York City where "FHA processed 221(d)(3) applications for 37 buildings in 6 months."

The Secretary is quite right, in reference to this example, when he states, "Single cases are not always indicative of all our efforts." The 114th Street project was distinguished by an overriding commitment on the part of FHA, and the New York City Rent and Rehabilitation Agency to accomplish results quickly in that part of the city. The project was initiated by the rent and rehabilitation agency in New York, then headed by Hortense Gable, Dr. Weaver's successor to the New York position. A special task force was appointed by the Commissioner of FHA to work closely with the rent and rehabilitation agency which lined up the sponsors and did much of the preliminary processing for FHA. The project was an experimental program with a task force that had special authority.

Not only is it untypical of FHA efforts, but it is an example of the kind of effort that FHA knows must be made if things are to be done with expedition, rather than working through ordinary channels.

Unhappily, the Secretary could not report that the 36 buildings which were to be rehabilitated, not newly constructed, under this special project are now completed. The project began in October 1964; FHA issued its commitment 6 months later in April; construction began shortly thereafter, but unfortunately, more than 2 years later, there is still a year's work of construction before it will be completed.

It is not FHA's responsibility to construct the housing, but it is its responsibility to get housing projects to the point where construction can begin. This is not happening in FHA today without agonizing delay.

The Secretary states that a new accelerated processing technique is now at work in various FHA offices around the country. He claims that 18 projects were processed in a total of 92 days. However, I am informed that this was not start to finish processing time. Commitments were issued on 18 projects in 90 days, but the projects had been in various stages of processing before the accelerated techniques were applied.

Even so, I applaud this recognition that FHA has moved far too slowly and must orient itself toward a faster operation.

But accelerated processing is still being treated as an experimental program and is not in operation nationally. This is true even though FHA now has years of experience behind it in this program and should be able to make judgments more rapidly than it did 6 years ago. But this is not the case.

An accelerated processing program does not depend so much on new techniques as it does on the willingness of FHA personnel in the local offices to exercise sound judgment and take responsibility for issuing a commitment within a reasonable period of time.

A good example of this responsible attitude is found in the Milwaukee FHA office. In a letter sent out by the director of the office, Mr. Lawrence Katz stated:

> We are prepared to process multi-family applications in 20 work days—any additional time will be the sponsors—the total time from idea to commitment should take no longer than 5 months.

Mr. Katz is assisting other offices in adopting this policy, but these offices must understand that the policy is not only Mr. Katz's policy but the overriding and enforced policy of FHA and in keeping with the wishes of the U.S. Congress.

These accelerated techniques must also be applied to the rent supplement program. Contrary to the Secretary's statement, the record there is not "very impressive." Although all the funds appropriated for the program have been earmarked for projects, in nearly a year and a half only 38 units of newly constructed housing have actually been produced. This cannot be explained by the fact that this is a new program.

The rent supplement program is new only to the extent that funds are now available to supplement the rentals to be paid by poorer tenants. The new housing is still nonprofit sponsored and follows the same FHA procedures for approval of 221(d)(3) mortgage commitments.

Though we are all hopeful that at some time in the future tens of thousands of new units will be produced, to date there have been only 38 and only an additional 104 units are on the verge of beginning construction. Even when the money is pumped in, the FHA has a long and tedious pipeline which only trickles out housing construction when it should be flowing to the thousands of people who need it.

"Comparisons between gross insurance amounts and completed units" are meaningful when administrative practices are the reason for housing proposals never been realized in brick and mortar. Other factors are involved, to be sure, but they do not explain the slowness with which the low-income housing programs are moving. The figures quoted by the Secretary to show that "the 221(d)(3) program has been far more successful than your speech indicates" do not contradict the figures I quoted in my speech.

In over 6 years, there have been only 40,000 units completed under the 221(d)(3) program. Commitments have been made on 74,000 units, but that commitment figure includes the Malden project, for example, and there is no assurance that those commitments actually represent housing that will be completed and available at all, or at best, within a short period of time.

The Secretary further states that other factors, such as "the state of the market, the number of qualified and interested sponsors, the availability of particular types of mortgage reserves, and, especially for low-cost housing, the state of technology and design" affect the volume of housing produced under these programs.

As I stated in my remarks on August 7,

the state of the market for low- and moderate-income housing in this country is an urgent need. The total of 40,000 units built under this 221(d)(3) program could be absorbed in a single major urban center. The volume of housing under this program does not begin to approach the needs of the low- and moderate-income housing market.

As for the availability of mortgage reserves as a controlling factor in the number of units produced, FHA now has $1,200 million in its reserve funds and I would need further explanation as to how that sum inhibits the volume of units produced.

FHA's attitude toward nonprofit sponsors is very curious.

On the one hand, civic and religious groups are publicly urged to take on the sponsorship of housing projects. In keeping with the availability of the 100-percent mortgage, the emphasis is on the need for coming forward. As it was simply stated by a HUD official in a recent speech to the Christian Methodist Episcopal Church conference—

> Churches can set up non-profit organizations to develop, own, and operate new rental housing for the elderly—for families of moderate income—and for low income families which need unit subsidy.

I am in agreement with the implication of this statement, that it should not be a very difficult or consuming operation for a church or other civic group, with little or no assets, to come forward out of an understanding of the need for such housing and to sponsor development of a project.

The FHA directive MF–107 which the Secretary points to as affirmation of a policy which does not require sponsors to assume financial responsibility for projects, seems to me strongly imply just the opposite. It states:

> Non-profit sponsors should understand, however, that owning and operating a housing project involves difficult and trying problems, including the possibility that some unforeseen circumstances could cause project funds to run short. They should understand that FHA would expect them to cope with these problems at the time of need by all means at their disposal, such as provisional help, contributive management or service, appeals to membership or affiliated organizations and *outright cash contributions.*

While the directive goes on to say "that FHA does not insist upon or require a pledge or guaranty," it seems to me that the effect of such a directive in the local offices would be not to approve a sponsor where the organization does not have substantial assets to assume the financial obligations which FHA wants sponsors to "understand" is their responsibility.

It would also have the effect, it seems to me, of discouraging nonprofit sponsors. If a sponsor is told by FHA, "We do not insist on a guaranty by you of the operation of this project, but we do expect that you will be able to meet any operational deficits," there would be a detrimental effect on the sponsor's willingness to proceed, even when it seems that the project will be a success.

The point is that the 221(d)(3) program was established with a 100-percent mortgage so that nonprofit groups would not need substantial assets of their own. It was thought, and it has been demonstrated, that the need for low- and moderate-income housing is so great that projects will "rent-up" quickly and stay rented so that when mortgage commitment and project income are coordinated, there is no reason to expect that funds will have to be made available by the nonprofit sponsor.

This is the risk of the program. But it is also the impetus for the program. FHA must determine that the project is feasible, that the market for the housing exists and that project income will equal cost. If these factors are present, then it should insure. It was not the intent of this program that FHA should turn to the sponsor and say "We think this is a good project, but if anything goes wrong, we expect you to take that risk, not FHA." Such an attitude contradicts the purpose of the program and significantly impedes its progress.

In the Malden project, the nonprofit sponsor, Agudas Achim Congregation was told that it would have to assume financial responsibility for the operation of the project. The Secretary states:

> In point of fact the Agudas Achim Congregation has not had to assume financial responsibility for project operations during the first 2 years.

But in point of fact, that requirement was only withdrawn after the Secretary had written his letter of response to me and the Boston FHA office has still not notified the Agudas Achim Congregation in writing that this requirement has been dropped. I hope that the requirement does not appear in a more subtle form in this, or any other 221(d)(3) project.

Another point at issue, especially in the Malden project, is the requirement of a 100-percent performance bond from the contractor.

The Secretary indicates that any responsible contractor can obtain a 100-percent performance bond. That runs directly contrary to the case in point. The contractor for the Malden project is a responsible contractor. As pointed out, he has successfully completed six 221(d)(3) projects. Two of these required no bond at all and one, already completed in Malden, a 10-percent bond. He has an excellent record and received a high recommendation from the director of the FHA office in Milwaukee, where his firm is based. The director stated that he would "recommend him highly, as very good, able, and proficient. He—the contractor—has brought in projects below cost."

The contractor has tried diligently since March to obtain the required bonding. The reasons given by insurance companies for not underwriting the bond do not coincide with the Secretary's explanation.

One broker, after trying to place the bond with such companies as Aetna Casualty & Surety Co., Maryland Casualty Co., Fidelity & Deposit Insurance Co., Travelers Insurance Co., and Seaboard Surety Co., reported:

> Although the companies have not specifically so indicated, their basic reasoning, as explained to me, is substantially the same in that they appear reluctant to bond FHA financed projects.

Another broker reported:

> The companies also questioned the fact that they had done so many of these projects without bond or a minimum bond that they could not understand why a bond was required for this particular project.

The Aetna Casualty & Surety Co., specifically stated:

> This declination is in no way a reflection on the contractor but is a decision arrived at by reviewing the situation in its entirety.

The Secretary states that the amount of the bond requirement over 10 percent is discretionary with the local insuring office. However, practice indicates that the 100-percent bond requirement is national policy, without room for discretion. If this is so, then a local director cannot exercise informed judgment when a situation arises where a contractor cannot obtain 100-percent bonding, even though he is a reliable and responsible contractor.

In the Malden case, the inability to exercise this discretion to lower the bond requirement, has resulted in a delay since March. Since that time costs have increased at least another $17,000. This in itself means further FHA adjustment, even if the 100-percent bond were obtained tomorrow.

The Secretary's understanding of the bonding policy which is in keeping with the law should be promulgated and enforced. It should be remembered that Congress has required a bond of only 10 percent. In the Malden case, an assessment of the risks in regard to this experienced contractor will show that the extraordinary bonding requirement is unnecessary. This requirement should be withdrawn immediately and the project should be allowed, finally, to move ahead.

FHA must begin to regain the confidence of owners, builders, and architects across the country who often find working with FHA to be a nightmarish experience. It is one of the reasons why FHA mortgage volume has declined significantly. As one builder stated recently before a congressional committee:

> In 1949 the FHA financed 242,000 units in rental housing; last year, 44,000. Any Federal program which is intended to be the backbone of housing by the Congress, which lost nearly 80% of its volume in units, is sick.

One of the reasons why the Secretary may be correct in saying that the 221(d)(3) program is not a program which will help the poor, but only families of moderate income, is because FHA processing takes so long that costs of a project increase significantly. In the Malden project, it will be remembered, rents jumped an average $20 per unit because of over 2 years of delay.

This trend must be reversed and FHA must become a willing partner in housing construction, especially in the low- and moderate-income housing programs where their willingness to cooperate, to see the program succeed and progress, is essential.

In 1962, in testimony before the Senate Subcommittee on Housing, the Commissioner of FHA stated that it was his expectation that the 221(d)(3) program could produce 60,000 units of housing a year. The program has not produced 60,000 units in 6 years.

Mr. President, I repeat, FHA must begin to live up to its expectations or the Congress should place the low- and moderate-income housing programs in an agency that will.

EXHIBIT 1

THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT,
Washington, D.C., August 14, 1967.

Senator EDWARD W. BROOKE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR BROOKE: Your speech of August 7 in the Senate on the pressing need for more low- and moderate-income housing was gratifying in theme but your use of an isolated case as the basis for a general criticism of the FHA was unfortunate. I hope Under Secretary Wood and Assistant Secretary Brownstein have an opportunity to explore this situation with you directly and in depth. In the meantime, let me record the most salient characteristics of the situation.

The Malden case has a long history and we are quite familiar with the allegations contained in your remarks. They have been made in the course of many discussions among the FHA, the contractor, the packager and the sponsor, including visits between FHA and HUD staff and Mayor Kelliher. Mr. Frank, the packager, has a special record of difficulties with these programs. Indeed, for a long time FHA would not process any project in which he was involved.

As your remarks indicate, it is the director of the local insuring office who decides on the basis of local experience and the individual involved, how much above the FHA 10 percent minimum performance bond requirement will be necessary. We know that bonding above 10 percent will not preclude responsible contractors from participation since capability is not materially affected by a requirement in excess of 10 percent. The willingness of sureties to issue 100 percent bonds depends on the contractor's reliability and experience, his past performance, his present competence. In general, the amount does not determine whether or not the bond will be written but rather the contractor's overall capability. In the Boston area, this requirement was established two years ago at the request of the subcontractors association to protect against the problems of work stoppages and unpaid subcontractors. I might add also that a 100 percent bonding requirement is common with all conventional lenders and mandatory on most Government contracts.

However inapposite Malden is, the central issue you raise of the role of effective management in solving low-income housing difficulties is one to which I have devoted considerable effort over the years. The conception and construction of a decent, livable project involves the cooperation of many people as well as the interchange of necessary information and documents. For instance, of the time which you indicate it took the FHA to process the initial Malden application, seven months were consumed by activities on the part of the sponsors and their parties in interest. The fact is that when FHA was ready to commit, the sponsor came in with an entirely new site plan rendering previous processing useless.

Single cases are not always indicative of all our efforts. The Malden experience contrasts with the 114th Street project in New York City where the FHA processed 221(d)(3) applications for 37 buildings in six months. Nevertheless, we are constantly working for improved general performance.

For example, accelerated processing techniques in Milwaukee, Chicago, Phoenix and San Francisco were begun in early February, and were recently expanded to Boston, Atlanta and Kansas City as a part of our new AMP program. The installation of this program has resulted in a total processing time of 92 calendar days on eighteen projects for which there were 120 contacts. Actual FHA processing time averaged 9 days.

Moreover, a recent FHA directive, MF-107, states that nonprofit sponsors will not be required to assume financial responsibility for projects. In point of fact, in the Malden case the Aguda Achum Congregation has not had to assume financial responsibility for project operations during the first two years.

More important than the specific nature of administrative innovation are the results in terms of output achieved. In these terms the 221(d)(3) program has been far more successful than your speech indicates. It has assured housing for almost 74,000 families with mortgage commitments in excess of $950 million. An additional 33,000 units are covered by firm applications. Mortgage funds have been allocated to permit additional applications to bring the total number of units in processing to 143,000. FHA mortgages on multifamily structures since 1961 have been committed to predominantly low- or moderate-income housing.

In the area most directly concerned with housing for the poor, the record is even more impressive. Before the rent supplement programs was interrupted by the uncertainty of fiscal 1968 authorizations, the FHA had reserved virtually all of the supplement funds provided for fiscal years 1966 and 1967. In less than 12½ months from their first availability, FHA has reserved funds for supporting 47,000 units of housing in 422 projects, assisting over 33,000 households. We are concerned, as I am sure you are, that this momentum be continued into the actual production of housing units through speedy processing and construction. But the key to the production of low-income housing does not lie in the area of processing.

Comparisons between gross insurance amounts and completed units, and administrative practices are not very meaningful. For volume depends on a number of other factors—the state of market, the number of qualified and interested sponsors, the availability of particular types of mortgage reserves, and, especially for low-cost housing, the state of technology and design.

In final analysis, really effective solutions to the critical problem of housing the poor will not be found in organizational and administrative reform—important as they are. They will be found in the funding of the programs precisely designed to do these jobs: rent supplement and model cities. For as you know, the BMIR program your remarks emphasized responds principally to the housing needs of moderate-income families—not the poor.

I know you share my sense of urgency about providing decent housing for the people of our country. I appreciate your cooperation in support of our appropriations and I trust we can work together in the areas where truly genuine progress can be achieved.

Sincerely yours,

ROBERT C. WEAVER.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. BROOKE. I yield to the distinguished Senator from Minnesota.

Mr. MONDALE. I thank the Senator from Massachusetts for yielding to me. I congratulate him for his interest and concern about reaching our national goal of decent housing for every American, a goal that is still far from having been achieved, despite the number of years which have elapsed since Congress declared it in the Housing Act of 1949.

While I cannot share the Senator's criticisms of FHA to their fullest extent, nevertheless, I believe that this criticism will be helpful in strengthening the hand of FHA and individuals within FHA who seek to do a better job of making its facilities work for those in American society who cannot now afford decent housing without FHA cooperation.

I think there has been a conservative tendency within FHA. There has also been in parts of it a liberal tendency. Indeed, this conflict, this dichotomy, of attitude is reflected in the Congress as well as in FHA.

I am hopeful that the leadership of the Senator from Massachusetts and the leadership of others along with the current considerations in the Housing and Urban Affairs Subcommittee, we might develop not only a new sense of urgency in this field, but new tools and a new declaration of intention on the part of the Congress which supports and defends the FHA when it proceeds more liberally than it has in the past.

I think one of the problems of FHA producing more low-income housing has been in the field of our housing policy with relation to nonprofit organizations. The section 221(d)(3), below-the-market-interest-rate program, the section 221(d)(3) rent-supplement program, section 202 and section 231 elderly housing, section 515, rural housing, and section 221(h), which attempts to create homeownership for those who are in the public housing income categories all depend on the nonprofit organization. The legislation assumes that nonprofit sponsors, such as churches, labor unions, and other interested groups, can combine to develop such programs, and then either obtain loans from Federal agencies or obtain FHA insurance.

I think one of the big problems of these programs is that they have all assumed this is an easy thing to do for nonprofit organizations. As a matter of fact, it has been a difficult thing.

I have a most interesting letter from Mr. Oliver Brooks, president of the Cambridge Corp., located in Cambridge, Mass. I ask unanimous consent to have the letter printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE CAMBRIDGE CORP.,
Cambridge, Mass., July 26, 1967.

Hon. WALTER F. MONDALE,
U.S. Senate Office Building, Washington, D.C.

DEAR SENATOR MONDALE: I have just read with interest a News Release from your office summarizing the proposals of the Home Purchase Act and the Housing Expert and Loan Program. The basic thrust of this legislation certainly strikes a responsive chord because it goes to the heart of two difficult issues in the low and moderate income housing field and because of its emphasis upon making existing programs more workable rather than attempting any radical new departures.

One of the major areas of interest of The Cambridge Corporation—which is a recently established nonprofit community development corporation—is that of adding to the inventory of low and moderate income housing in this area. We have a keen interest in the production of new housing of this sort and, most particularly, in exploring new techniques to encourage home ownership on the part of moderate income families.

I was particularly pleased by the apparent recognition in the HELP program of the fact that the Section 221(d)(3) program administered by the F.H.A. has some severe gaps in terms of its viability for the nonprofit sponsor.

There have been a good many relatively successful Section 221(d)(3) programs devel-

oped in the Greater Boston area. But at the same time one cannot fail to recognize the fact that the ground rules are written in such a way as to invite a certain mediocrity of bargain basement approach to the whole problem of producing new housing, to wit—

The nonprofit sponsor must have in hand some 3–4% of the ultimate cost of the project to push the project along to the stage of mortgage issuance.

The largest single portion of this seed money requirement is represented in advances to the architectural design group, which after all must accrue substantial out-of-pocket costs substantially in advance of eventual mortgage issuance.

For the potential nonprofit sponsor with limited seed money, this tends to build in an incentive to seek out the architect who will do the job most cheaply rather than one who will do it with the most desirable environmental result.

It seems to me that HELP can make a measurable contribution in confronting a problem of this sort.

I am still troubled by the fact that there still remains insufficient flexibility within the 221(d)(3) program to encourage the development of supporting community facilities in connection with new housing developments. Four walls and a roof are in and of themselves important. But of almost equal importance, it seems to me, are supporting amenities that can help create an environment for living in such new developments. It would be my hope that your future interest in these problems might well project itself into this particular area.

Sincerely yours,

OLIVER BROOKS,
President.

Mr. MONDALE. Mr. President, this letter is in response to a measure that I offered, which I called Operation HELP to supply technical assistance and money for preconstruction costs to help nonprofit sponsors of housing in the low- and moderate-income field get over the first hurdle to which the Senator from Massachusetts referred.

I read from a part of that letter. Mr. Brooks points out that—

There have been a good many relatively successful Section 221(d)(3) programs developed in the Greater Boston area. But at the same time one cannot fail to recognize the fact that the ground rules are written in such a way as to invite a certain mediocrity or bargain basement approach to the whole problem of producing new housing, to wit—

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He makes this point, which I think is an exceedingly important one—that all these programs do is build buildings. There is nothing in it for community facilities or to help create an environment for those who live in those buildings which will be desirable and creative as well.

It is for those reasons that I have introduced an amendment to the omnibus housing bill which is now before the Housing Subcommittee. This amendment is a modification of Operation HELP.

I ask unanimous consent to have printed at this point in the RECORD a summary of this proposal.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

FEDERAL ASSISTANCE TO NONPROFIT SPONSORS OF LOW- AND MODERATE-INCOME HOUSING

At the present time much of our housing policy is geared to the use of the so-called nonprofit sponsor. The Section 221(d)(3) below the market interest rate program, the Section 221(d)(3) rent supplement program, Section 202 and Section 231 Elderly Housing, Section 515 Rural Housing, and Section 221(h) all encourage the use of the nonprofit corporation to increase the stock of housing. In addition, this year we are adding a program of home ownership that can use the nonprofit sponsor.

Yet nonprofit organizations face a two-fold problem as project sponsors: they lack expertise in the housing field, and they often need seed money in order to take the preliminary steps toward developing projects. I am proposing an amendment to the omnibus housing bill which will address itself to both of these matters.

Technical assistance.—Few nonprofit organizations are experienced in sponsoring housing projects. Most sponsors are long on good intentions but short on knowledge about such things as site selection, applications for financing, and estimates of market potential. The HUD report on nonprofit notes that they suffer from "the lack of experience and technical capacity:" to develop housing. (See pp. 482–485 of subcommittee hearings.) Some nonprofits are able to draw upon the services of volunteers, but volunteers can devote only a limited amount of their time to nonprofit organizations. Frequently the nonprofit relies on a prospective contractor who has his own interests to pursue. In view of these circumstances the HUD report states that: "The ideal situation is one where the nonprofit housing sponsor receives technical assistance from a competent, disinterested individual or group which is working solely for the achievement of the nonprofit sponsor's objectives."

To make available the skills and expertise necessary to insure the success of projects, the first part of the amendment would instruct the Secretary to establish a technical assistance program to prospective nonprofit sponsors. FHA now has in its field offices specialists in appraising and site evaluation, in architecture (including such matters as land planning and even landscaping), and on mortgages and financing. HUD regional offices contain at present a branch that provides some technical services to nonprofit sponsors. In short, HUD has the trained personnel necessary for effective assistance and has made a start toward developing a technical assistance service. This effort should be strengthened; past experience should be built upon. We could provide HUD with a clear mandate to give nonprofit sponsors all the technical help they need.

Seed money—The other problem faced by nonprofit groups is the lack of money to cover the pre-construction costs of projects. Current practice requires the sponsor to pay for market surveys, architectural and engineering fees, land options and other costs before a financing commitment can be obtained. These must be paid in advance and create a hardship on the small nonprofit corporation.

Oliver Brooks, president of the Cambridge Corporation, a nonprofit in Cambridge, Massachusetts, estimates that a sponsor must have 3 to 4 percent of the total project cost *in hand* before the FHA can provide the insurance to start a project. To keep these preliminary costs to a minimum, corporations will use the cheapest methods available. The result, as described by Mr. Brooks, is a "certain mediocrity or bargain basement approach."

The second section of this amendment would deal with this problem. It would establish a revolving fund from which the Secretary could make loans, advances, or credits to the nonprofit sponsor to cover up to 80% of the pre-construction costs for these projects. Most of these costs can be included in the final mortgage and are returned to the nonprofit when the mortgage is obtained. Architects' fees, financing expenses, title fees, taxes during construction, and the like, are included in this category.

However, there are other costs such as land options on alternative sites, promotional work, and advertising, which cannot be included in the cost of the mortgage. Under this amendment the Secretary could make loans to cover up to 80% of these costs. But the majority of the expenses will be included in the mortgage, and this money will be recovered as soon as the mortgage is executed and will be returned to the revolving fund.

To avoid any pressure on the Department of Housing and Urban Development, the Secretary is to establish criteria to determine the financial stability of the nonprofit before a loan is made. The revolving fund will have an initial authorization of seven and a half million dollars.

Mr. MONDALE. Mr. President, it seems to me we must do some other things as well. There is before the Housing Subcommittee an amendment by the Senator from Wisconsin [Mr. PROXMIRE] that would, in vital areas, create new standards for FHA insurance and loans, and new standards of acceptability which would deal with housing for the poor. It would modify the standard of insurance from economic soundness to acceptable risk to permit the low-income family obtain housing in our center cities. Also, it would create an acceptable risk fund that can pick up the losses which private lenders, savings and loan associations, and so forth, might suffer by going into these areas.

Thus we will create a congressional declaration that we want a new sense of urgency; that we are willing to support the FHA. This means we have reduced the risk requirements; and that we will stand behind them to pick up the losses to encourage private lenders to get involved.

In the past, FHA and private lenders have—and they admit it—resorted to the practice of what is called red-lining. In other words, a certain area in a core city is of doubtful value; they do not know whether it will go up in value or down in value. So, in order to be safe, the private lenders red-line it, and the FHA supports them. This means the private lenders and FHA are not going to permit credit to flow into that area.

When that happens, almost automatically the area starts down. I think FHA admits they have been part of this process. I do not think they should have been. But now they have changed the rules to prevent this from occurring.

The Proxmire proposal may be the most important thing to come out of the Housing and Urban Affairs Subcommittee because it offers the hope of getting private capital back into these marginal

areas around the ghettos. After these things have been accomplished, and we have created what I hope will be a new program to bring home ownership within the reach of low-income families, if we still have a record of conservatism, if we still have a record showing FHA to be unwilling to be broad and effective, then we shall have to think about the creation of an entirely new agency.

I frankly do not think this will be necessary, if we in Congress do our job. One of the big problems has been that the FHA gets hit from both sides. Those of us—and I agree with the Senator from Massachusetts—who want a more liberal approach by FHA are constantly criticizing it because it is not more liberal. If however, the Agency does take risk, and the program goes sour, FHA can be sure there will be a congressional investigation and it will be roundly criticized. The result is that the officials of FHA are "damned if they do and damned if they don't." Part of it is our fault, but I think part of it is their fault, and I believe that the Senator from Massachusetts is performing a service in underlining these objectives, and I join with him in urging FHA to move more effectively toward accomplishing them. I hope that our efforts will be successful; if not we will have to develop a new structure to accomplish those ends.

The PRESIDING OFFICER. The 30 minutes of the Senator from Massachusetts have expired.

Mr. BROOKE. I ask unanimous consent that I may have 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. I thank the Senator from Minnesota for his contribution to this discussion. I am especially grateful to him for injecting into the discussion the criticism of what has been done with respect to the costs which must be incurred by nonprofit sponsors in getting started on the program. I am very much in favor of the recommendations the Senator from Minnesota has proposed to the subcommittee, and I am also very much in favor of the proposal of the Senator from Wisconsin [Mr. PROXMIRE] which would change the rule from "economic" to "acceptable" risk.

Certainly, I have no ax to grind with FHA.

Mr. MONDALE. I think the Senator has made that abundantly clear, if I may say so.

Mr. BROOKE. I thank the Senator. However, I must point out that housing for low-income families and moderate-income families is one of the greatest needs in the country today. I think we are agreed on that point.

In 1949, when this legislation was passed, it was hoped that we would be building as many as 60,000 units per year. The same rule of economic risk as opposed to acceptable risk applied at that time. And it appears to me that it was the intent of Congress to make housing available for low-income and moderate-income families who, in the past had not been able to obtain money from the conventional banking institutions. These persons could, under the new law, go to FHA and have FHA guarantee repayment of the money, so that they could begin to have decent housing in which to live.

If Congress had not intended for FHA to assume some of the risk, it would have had no need to create and to pass this legislation. When FHA began to put the red lines around certain areas, as the distinguished Senator from Minnesota has so graphically described, it was red lining the very areas where the need was greatest, the very areas, in my opinion, where Congress intended FHA to be most effective, and where FHA has not been effective.

With this in mind, 6 years seems to be an unreasonable period of time in which to see the construction of only 40,000 units under this particular section 221 (d) (3) program. Forty thousand units in 6 years, in my judgment, is a pitifully poor performance. It seems to me that this number of units might have been constructed in New York City alone and not even been noticed, to say nothing about the other areas around the country.

I believe the Senator is correct that many factors have contributed to this situation. The attitude of FHA, has been described as conservative. I do not wish to get involved in a discussion of the conservative versus liberal attitudes of the Housing Authority; I only think FHA should have performed its task within the confines of the letter of the legislation that was passed by Congress.

Did they misinterpret the intent of Congress? Did they really feel they were not to assume the risk? Did they believe that it was necessary to erect barriers to nonprofit sponsors, such as the 100-percent bonding controls, which it is difficult, even impossible in many instances, to achieve?

The language which I have pointed out in my remarks today would certainly indicate that FHA was holding the nonprofit sponsors to an assumption of financial risk. Are these religious, civic, and labor organizations really in a position to assume such risk?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BROOKE. I ask unanimous consent that I may have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BROOKE. If they are not, does this, then, not mean that the program is going to fail? And if the program fails, does that not mean that millions of people will still have to live in poor, dilapidated, and deteriorating housing throughout the country?

I am hopeful that the optimism which the distinguished Senator from Minnesota has expressed this morning will be fulfilled, and that we will see an improvement in FHA. I do not like superstructuring. If this is the agency that is to do the job, let us clarify its authority and have it do the job it was intended to do. We cannot afford to wait any longer to build housing in this country for low- and moderate-income families. We have waited too long already. We are plagued by civil disturbances in the major cities across the Nation. I do not say that poor housing is totally responsible for the unrest, but I believe that housing is one of the causes. And I believe we should be getting on with the job of improving housing conditions, either with a corrected procedure through the FHA, or through a new agency.

Mr. MONDALE. Mr. President, will the Senator yield?

Mr. BROOKE. I yield.

Mr. MONDALE. I could not agree more heartily with the Senator from Massachusetts in his appraisal of the seriousness of the housing gap in this country today. Recently it was estimated that more than 11 million families in this country, in urban areas alone, are living in substandard, unsanitary, and unsafe housing—certainly a tragic comment upon a nation which is the wealthiest in the world.

I would agree with the Senator from Massachusetts that we could have hoped for a more liberal, aggressive approach on the part of FHA than we have seen. I cannot agree with the same intensity of criticism that we have heard from the Senator from Massachusetts, however helpful I believe that to be, because I believe part of the fault is ours. We have failed to declare congressional intent as clearly and unequivocally as we should have. I think the Senator from Massachusetts is well aware that there are many Members of this body who do not agree with our interpretation.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BROOKE. Mr. President, I ask unanimous consent that I may be permitted to continue for an additional 2 minutes.

The PRESIDING OFFICER. The Senator is recognized for an additional 2 minutes.

Mr. MONDALE. Mr. President, I have heard many express doubts about nonprofit housing as a concept. Even though we have legislated measures that assume the existence of the nonprofit structure, many are opposed to nonprofits. I happen to be in favor of nonprofits as I think the distinguished junior Senator from Massachusetts is. I think that what we ought to be sure of is that during this session of Congress we do our job.

Let us create a revolving fund of technical assistance to help in the nonprofit field. Let us try to deal with the bonding problem that the distinguished Senator recently referred to. Let us deal with the Proxmire amendment and get an "accepted risk" provision written into the law with an accepted risk fund. Let us create a homeownership program that will enable the lower income family to own its own home. Let us put some more steam behind public housing and try to do something to get private initiative and capital back into the slums.

If the FHA then fails to respond, I would join the distinguished junior Senator from Massachusetts in creating a new structure.

I think the FHA will respond with proper leadership from Congress. I think the officials of the agency want to respond.

Let us give them a chance.

Mr. BROOKE. I hope that the distinguished Senator from Minnesota is correct.

I thank the distinguished Senator.

Mr. President, I yield the floor.

Mr. FANNIN. Mr. President, I commend the distinguished Senator from Massachusetts for his very forthright presentation of this problem today.

It is a very complicated and complex problem. It is a problem which we must settle. And I know that the leadership of the distinguished junior Senator from Massachusetts will add much in bringing about a solution to the problem and achieving this goal which is so necessary in our Nation today.

Mr. BROOKE. Mr. President, I thank the distinguished Senator from Arizona.

ORDER OF BUSINESS

The PRESIDING OFFICER. Under the order of yesterday, the Chair recognizes the junior Senator from Arizona for 20 minutes.

A GOLD POLICY FOR THE UNITED STATES

Mr. FANNIN. Mr. President, the 18th-century lexicographer and poet Samuel Johnson once said:

> It is observed of gold, by an old epigrammatist, "that to have it is to be in fear, and to want it, to be in sorrow."

It is an observation that is no less valid today. A decision on whether to have and to hold gold, or to not have and not hold it, is one that still concerns most economists and politicians.

At home, Congress is struggling with that fateful decision now, as is evidenced in part by a bill to repeal the 25-percent gold backing on Federal Reserve notes.

And the International Monetary Fund and the World Bank group will meet in Rio de Janeiro next month, September 17 to 29, to discuss the gold crisis and other financial matters.

Nevertheless, I am greatly distressed and gravely concerned over the fact there has been so little discussion relative to the sharply accentuated gold problem which confronts the Nation. Even the events of the last few days, during which time the 10 leading industrial nations of the non-Communist world announced agreement on a new international monetary system, have done little to alter the seriousness of our Nation's gold problem.

The future stability of the dollar, in fact our entire economic well-being, depends upon a wise and prompt solution of this problem. I am not a convert to the theory of modern-day alchemy sponsored by the U.S. Treasury that we can convert paper into gold through the legerdemain of creating a new international paper unit which will have the same discipline and acceptability by nations as gold itself.

Let me review a few salient facts which may have escaped your attention. During the past two administrations, we have lost over $6 billion from our national monetary gold stocks as foreign interests converted dollar claims into gold. Our national gold reserve now stands at slightly in excess of $13 billion of which over $10 billion is required by statute to be held as a 25-percent cover for Federal Reserve notes. Another $1 billion of the reserve is committed to the IMF. Thus, actually our free gold reserve is scarcely more than $2 billion, a perilous low level when faced with possible demands from foreign holders of dollars that now amount to $31.4 billion.

The increasing expansion of our paper currency on the domestic scene will increase the $10 billion figure needed to back the 25-percent cover on Federal notes.

Significantly, world gold production in 1966—exclusive of Russia—amounting to approximately $1.5 billion in value went into private hoarding, investment, or industrial consumption. Not 1 ounce went into the monetary stocks of any nation. In 1965, when the free world's supply of new gold was augmented by $500,000,000 from Russia, the record was actually as bad since only $250,000,000 of the available gold was added to world official gold stocks, the smallest such addition since 1952.

Foreign nations have been building up their gold stocks in relation to their foreign exchange reserves expressed in the following percentages:

Union of South Africa	90
France	85
Netherlands	84
Belgium	78
Italy	66
West Germany	64

Obviously, these nations believe it desirable to augment their gold holdings.

In the United States, the condition of our domestic gold mining industry is deplorable. This country is now producing gold at the approximate rate of 1.7 million ounces per year—1966—as against annual consumption of 6.9 million ounces for industrial, defense, and space needs, dental requirements, and use in the arts and crafts. This imbalance between production and consumption creates a substantial drain on our monetary gold stocks already under heavy pressure by foreign withdrawals.

I am alarmed at the prospect of the American citizen being forced to accept completely fiat currency in the near future. Last month, Chairman William McChesney Martin, of the Federal Reserve Board, urged Congress to repeal the law which presently earmarks most of the Treasury's gold as backing for 25 percent of Federal Reserve note currency. Mr. Martin pointed out that the steady increase in currency outstanding cuts the free gold portion of Treasury reserve by about $500,000,000 a year and that sales to domestic industry would reduce the stock by a further $150,000,000 per year, and that even though there are no further demands for gold by foreign governments, it appears inevitable that the 25-percent cover must be ended eventually.

Despite a temporary check in gold outflow, the causes of foreign concern over the stability of the dollar not only still exist, but grow ever more ominous.

For instance, I refer to our inability to correct the deficit in our balance of international payments which, in 1966, had persisted for 9 years; also to the anxiety about the dollar arising from the prospects of an administration budget deficit for 1968 which has been variously estimated from $21 billion to a potential $29 billion.

Yes, and again I refer to the fact that liquid claims held by our foreign creditors are now $31,400,000,000, more than double our present gold stock. A large percentage of this amount is subject to immediate redeemability.

I refer to our failure to drastically cut out foreign economic aid which constantly pours more paper dollars into the hands of such potential creditors. We have made progress in this regard.

It is important to refer to the storm signals of an inflationary surge which could presage economic disaster. In 1966, consumer prices rose 3.3 percent, about three times as fast as in the previous 5 years, and this price increase means a loss at that rate of $16.5 billion in the annual buying power of the American citizen.

Consider the fact that, since 1960, our nondefense spending has gone up more than $47 billion, a fact which has not been overlooked by foreign central bankers already worried over the stability of the dollar.

We will agree that the issue of fiscal responsibility transcends partisan politics. I believe that unless we immediately take the courageous steps necessary to put our financial house in order, we will soon reach a point of no return when this Nation may be properly charged with triggering a worldwide economic depression and chaos in the international monetary system.

The essence of this national problem was stated very clearly by Dr. Arthur A. Smith, an economist for the First National Bank in Dallas. He said:

> It cannot be repeated too often that one of the principle arguments historically for using gold as a reserve is that governments cannot be trusted to manage money without some restraints on them—some mechanism that will warn the people when the money managers go too far.
>
> Our gold reserve acts as a thermometer and shows a feverish condition which means that there is an infection somewhere. Nobody, upon careful reflection, believes that a good doctor would expect to cure his patients by destroying the thermometer or by changing its calibration.

I must confess I am confused by the apparent inconsistency of Treasury in regard to gold. One moment its officials show a high regard for the metal as witnessed by testimony of Mr. Fred Smith, General Counsel of the Treasury, in opposition to the gold subsidy bills May 17, 1967, when, in a letter to the Honorable WAYNE ASPINALL, chairman of the House Interior and Insular Affairs Committee, he stated:

> Gold is not comparable to other commodities or metals. It is primarily important as a monetary standard of value. The dollar is linked to gold, and it is the firm policy of the Government to maintain the present dollar price of gold at $35 an ounce. This policy is the foundation for the international monetary system.

Yet, every indication points to the fact that the administration soon may be urging Congress to remove the 25-percent

gold cover on Federal Reserve notes, thus creating out and out fiat currency. Thus, Treasury may soon be urging the demonetization of gold domestically, while at the same time Secretary Fowler is busily engaged in endeavoring to convince foreign nations that the international monetary system should be altered by the inclusion of a new paper unit not linked to gold as a further reserve asset for international exchange. Treasury has indicated they are worried over the outflow of gold, yet they have been strangely silent on aggressive advocacy of policies designed to reassure foreign nations that this Nation recognizes a sense of fiscal responsibility.

While Treasury desires gold, it sees phantoms in every piece of gold relief legislation presented to Congress, and opposes gold subsidy bills now before Congress, on the illogical ground that this might trigger a run on the dollar. I wonder what the Treasury officials think we have had for the past 7 years with $6 billion in gold going overseas.

No, if foreign central bankers are becoming nervous over the integrity of the dollar, it is because of some of the major ill-advised policies to which I have just made reference, not because of domestic legislation designed to correct a domestic problem by reactivating our gold mining industry to take care of our own domestic needs.

This is an appropriate place in my remarks to call attention to another Treasury attitude with respect to gold which needs to be brought into proper focus. I refer to their enchantment with the heavy metals program initiated by the Department of the Interior through the Bureau of Mines and the Geological Survey to explore for and develop new low-grade gold ore reserves as a solution to our current failure to produce enough gold for our own domestic needs. I will be brief. A careful reading of the testimony of Government witnesses who appeared in opposition to the gold subsidy bills on June 2, 1967, leads to the inescapable conclusion that, while this program may be commendable, it is a very long-term project.

By their own admissions, profitable operations of low-grade ore deposits with finely disseminated gold, at the $35 per ounce price, is dependent upon new techniques and methods of extraction and new metallurgical processes not yet known or proven. So extraction upon a profitable basis at the $35 price must await scientific research breakthroughs which may or may not occur within the next decade.

Then, as Dr. Pecora, head of the Geological Survey, pointed out in his testimony, we must add a further leadtime of 4 or 5 years after such discoveries for the necessary period of time to place mines on an operating basis on such deposits. I was particularly unimpressed by an answer given by Under Secretary Joe Barr of Treasury when he was under interrogation at the gold hearings. He was asked:

> If something is not done, Homestake will have to close and you will have to find a lot of mines to take its place?

To which he responded:

> Homestake is producing approximately 38 percent of annual production—

And replied further:

> If we are successful off the seacoast and in other parts of the country, as we think we can be, I would say that could be met.

This was an allusion to the heavy metals program to which I have just referred and in the face of testimony of other Government witnesses from the Bureau of Mines and Geological Survey that the project of extracting gold from low-grade reserves is years in the future. I am surprised the Treasury did not also suggest taking the gold out of sea water to solve our problem.

I think the work of these two Federal agencies, the Bureau of Mines and the Geological Survey, is important insofar as they seek to delineate and evaluate deposits of heavy metals with emphasis on gold and silver, low-grade occurrences or otherwise, and their search for economic and feasible methods of extraction and recovery from such deposits is desirable. I hope they will be successful over the long term and, in fact, I hope they find future workable deposits in my home State of Arizona; but I am getting a bit tired of the propaganda which I read emanating from these two agencies which has appeared with monotonous regularity in the press claiming or intimating that the heavy metals program will prove to be a prompt panacea to cure our lagging gold production.

The heavy metals program is a noble example of the operation of Parkinson's Law, as requests for appropriations for this project nearly doubled in 1967 over 1966 with an escalation from $8 to $15 million per annum. While obviously this indicates a vigorous search for gold ore reserves by the United States, I fail to detect any shudder amongst foreign central bankers because of any chill of apprehension over the stability of the dollar by reason of such official acknowledgment that we actually have a gold problem. This observation brings me to my next point.

Mr. President, I think it is high time that Congress took positive action to restore our all but moribund gold mining industry by passing legislation providing for Federal financial assistance payments to domestic operators. Such legislation should definitely provide that it is the express intent of Congress that the legislation shall have no effect upon the official monetary price of gold paid by the U.S. Treasury and that domestic gold producers must sell their product, when mined and refined, directly and solely to the Treasury at its official price.

Further, such legislation should provide modest payments to current producers to prevent a further decline in our domestic gold production but, in addition, should provide much more attractive and substantial incentives as a necessary inducement to reopen closed gold properties which would also lead to a more aggressive search for new gold ore deposits by private enterprise.

In order to be truly meaningful, such gold relief legislation should provide that Federal financial assistance payments should be made for a definite period of years sufficiently long to warrant the investment of capital for the reopening of old gold properties.

Finally, the gold relief bills pending before Congress provide for very modest relief payments considerably below the cost of aid payments being made by Canada to its gold producers and, therefore, in order for relief payments to be realistic under the proposed legislation before Congress, it is essential that the percentage rate of assistance be increased whenever there is an escalation in the Consumer Price Index, U.S. Department of Labor; otherwise, such minimal aid would soon be dissipated by further inflation in costs of production.

I recognize that such legislation is of interim nature, calculated to resuscitate and save our domestic gold mining industry and to increase domestic production of the metal until such time as the magnitude of the gold problem is resolved through the accord of the nations of the free world.

Since Treasury is so intent in new techniques, processes, and methods to develop new low-grade gold ore deposits is this country, I might suggest they vigorously explore new techniques of thinking related to gold in the international monetary system by departing from their stubborn position that the price of gold must be maintained at $35 per ounce in the face of the rapidly depreciating dollar.

There are respectable and growing numbers of monetary experts who question the wisdom of adherence to such a rigid policy. I believe a sound argument can be made for doubling the price of gold by multilateral action of the free nations of the world. Such action would be the initial step in regaining sound money effectively backed by gold. Properly handled, it should be neither inflationary nor deflationary, with the major currencies of the free nations retaining their relative present relationship of one to the other. The quantity of gold available for monetary stocks is currently insufficient to permit a gold standard to function at the $35 price in view of the rapidity with which trade and industry have been expanding throughout the world as well as the huge expansion of debts and commitments of many sorts expressed in dollars and other major currencies.

While overall gold production reached an alltime high in 1966 with South African mines producing approximately 75 percent of the supply, every indication points to the fact that annual production from this source will be flattening out and, within a decade, in sharp decline if the price remains at $35 per ounce. Since there is not enough gold available and since there is no prospect that a sufficient supply could be made available through increased production to support a volume of world currency sufficient to maintain trade, it seems obvious that an overhaul of the international monetary system demands prompt attention. Restoration of gold as a disciplinary yardstick for the proper functioning of world trade and to prevent lack of liquidity is quite essential. Some experts believe that even though the first desirable step may be revaluation of gold, consideration will

still have to be given to a broadening of the type of reserves available for international exchange.

Those who advocate a higher price for gold envisage the eventual return to an effective and viable gold standard by discarding the present gold exchange standard which is now failing to meet the demands imposed by burgeoning world trade. The contention of opponents to this proposal, that there is an insufficient quantity of gold in the world to back up monetary stock to enable a gold standard to function, is valid only on the assumption that the gold content of major currencies is measured by a $35 per ounce price.

Some critics of revaluation are concerned over the fact that hoarders will receive a windfall with a higher price for gold but I regard this as specious reasoning. If people throughout the world have had the foresight to acquire gold motivated by their distrust of governmental policies which fuel fires of inflation, I see no reason why they should not reap the benefits of such wise investment. Nor am I particularly disturbed over the cry of the critics that a higher price for gold will benefit both the Union of South Africa and Russia. Russian reserves and annual production of gold have been downgraded by the CIA and other knowledgeable experts and it is doubtful if their supply is of any comparable magnitude to world gold stocks. Further, since the administration seems bent on expanding commercial transactions with the Soviets, the stabilization of world trade by strengthening the international monetary system should receive approbation of money managers at the Treasury. The mere fact South Africa would prosper as the greatest gold producing region in the world seems rather a dog in the manger attitude since the other free nations would be the beneficiaries resulting from an improved, more fluid, international monetary system.

Nor am I at all convinced of the probity of the argument that the United States has a moral obligation to maintain the gold content of the dollar at the $35 per ounce price. A higher price of gold would be merely a recognition of an adjustment of the value of depreciated currencies throughout the world to the stability of gold value.

The alternatives are precarious. Some few months ago the Chase Manhattan Bank and the Bank of America, two of our largest financial institutions, through their top officials made a suggestion that the time was rapidly approaching when the United States might have to embargo gold and refuse to recognize dollar claims for gold. In fact, such action might indeed have to be taken in a crisis, but it would be an admission that the existing claims were too great to be met in gold at the current rate. However, unless we change our fiscal policies by drastic curtailment of profligate spending, we will be confronted by the unpleasant sight of our gold reserves dwindling to the vanishing point so the only recourse in self-protection might well be the undesirable action suggested by the two banking institutions. In short, the issue may be characterized by the phrase—repudiation or revaluation.

The other alternative seems equally undesirable. I refer to the efforts of the Secretary of Treasury to convince other nations that the solution to international liquidity is to create a new paper unit not tied to gold, to be used in conjunction with the pound sterling, the dollar and gold, as reserves for international exchange purposes.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senator from Arizona may be allowed to proceed for 3 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FANNIN. Mr. President, supposedly this has been accomplished, although we must await confirmation until the International Monetary Fund meeting next month.

This simply means more paper credit. Further, it would involve the difficult task of securing approval of other nations as to the proportion of the new unit allocable to each nation. Further, in view of the reverence for gold held by foreign nations as demonstrated by their desire to acquire the metal, it is understandable that the United States is encountering great reluctance on the part of foreign central bankers to agree with our revisions of the monetary system.

Not content with our failure to stop inflation in this country, we now seem to be embarked on a program of exporting inflation overseas and it is little wonder that there has been no alacrity on the part of foreigners to accept our proposals.

Further, I am disturbed over the disagreement and disunity of the leading world monetary experts which has been apparent at every conference held over the last several years. One governmental official wryly commented:

> Any good economist ought to be able to write a plan for international monetary reform on the back of an envelope in 45 minutes. The only trouble is, they all have.

To be successful, any new scheme which eliminates a revaluation of gold must of necessity depend on the willingness of nations to operate in large measure, on a paper credit basis, be it in terms of dollars, pound sterling, or some new paper unit. I am far from convinced that the nations of the world have such confidence in each other that they will agree to accept paper I O U's to maintain the monetary system particularly when a large proportion of such paper credit emanates from the United States which is already plagued by excessive deficit financing and inflation.

In their search for a solution to the complex problems of international finance, I believe our monetary experts should give serious considerations to the desirability of a revaluation of gold as a first step in their reforms.

Again, I wish to suggest that it would be prudent to take immediate steps to increase our domestic gold production through the enactment of a realistic gold relief bill providing financial incentives adequate to reactivate the production of this precious metal in the United States. S. 615, introduced by Senator McGOVERN, of South Dakota, and cosponsored by myself and other western Senators from both major political parties, now reposes in the Senate Interior and Insular Affairs Committee where no action has been taken on the measure. Companion bills are now before the House Interior and Insular Affairs Committee.

We should not overlook the fact there is ample precedent for the efficacy of a bonus system in the mining industry. Despite pronouncements by competent geologists that the United States lacked substantial uranium reserves, once the Government provided a high enough pegged price and attractive financial incentives, our booming uranium industry evolved from the discovery of large reserves of uranium ore in the Western States. Likewise, in World War II and again in the Korean war, the Federal Government provided incentives for tungsten which resulted in a considerable increase in production of that strategic metal at a time when it was desperately needed. I say it is time to close the gold gap domestically to at least stop the substantial leak of our monetary gold national stocks brought about by the disparity between consumption and production.

In conclusion, permit me to say that more thought and effort should be directed by our Treasury officials to the desirability of a revaluation of gold and an eventual return to the gold standard in order to stabilize international trade relationships for the last third of this century.

Mr. President, I yield the floor.

TRANSACTION OF ROUTINE MORNING BUSINESS

The PRESIDING OFFICER. Pursuant to the previous unanimous-consent agreement, the Senate will now proceed to the transaction of routine morning business, with statements limited to 3 minutes.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from North Carolina [Mr. ERVIN] may be recognized for up to one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, will the Senator yield to me without the time being taken from his time?

Mr. ERVIN. I yield.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. MANSFIELD. Mr. President, I ask unanimous consent that, when the transaction of routine morning business is concluded, that Calendar No. 498, S. 2171, be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none and it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 10 A.M. TOMORROW—PROGRAM FOR TOMORROW

Mr. MANSFIELD. Mr. President, for the information of the Senate—and this is subject to change—it is the intention of the leadership, and at this time I ask unanimous consent, that when the Senate completes its business today it stands in adjournment until 10 o'clock a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. At that time the nomination on the calendar will become the pending business, to be followed by the independent offices appropriation bill if there are no objections to its consideration.

WHY THE CIA AND NSA SHOULD NOT BE EXCLUDED FROM THE PROVISIONS OF S. 1035, THE BILL TO PROTECT EMPLOYEE RIGHTS

Mr. ERVIN. Mr. President, I deeply regret that a last-minute request from the Central Intelligence Agency necessarily requires the leadership of the Senate to postpone consideration—until after the expiration of the Labor Day recess—of S. 1035, a bill to protect the civilian employees of the executive branch of the U.S. Government in the enjoyment of their constitutional rights and to prevent unwarranted governmental invasions of their privacy.

This is a bill which has been cosponsored by more than 50 Members of the Senate. It must be passed. It must become law, if the employees of the executive departments and agencies of the Federal Government are to be able to stand up in dignity and enjoy the same rights which belong as a matter of course to all other Americans.

The predecessor bill to S. 1035 was introduced approximately a year ago. The Subcommittee on Constitutional Rights of the Committee on the Judiciary conducted extensive hearings on the predecessor bill. It accorded both the CIA and the National Security Agency, which now ask to be exempted from the provisions of the bill, full opportunity to be heard before the subcommittee in opposition to it.

Representatives of both agencies advised me in person, and also advised members of the subcommittee staff, that they did not desire to be heard before the subcommittee with respect to the bill.

Notwithstanding that fact, I met with representatives of both agencies and listened to what they had to say concerning the bill.

The CIA filed with me a 10-page statement concerning objections it had to the bill. Like any CIA greeting of "good morning," however, the statement was marked "Secret." I cannot use it. I wish I could use it, because I could take it and lay it alongside the bill and make it clear that I have amended the present bill to meet every valid objection the CIA voiced to the original version.

I would welcome nothing with more delight than to have officials of the CIA come to an open hearing before a congressional committee. This is true because such action would afford me an opportunity to show how specious their objections are to the inclusion of the CIA in the bill.

Again this year, I held conferences with officials of both agencies and informed them that I would be glad to see that the subcommittee gave them a hearing on the bill, if they so desired. I was again informed by their representatives—that the agencies did not desire any hearing.

Representatives of the CIA have been in constant communication with members of the subcommittee staff and have kept abreast of all developments with respect to the bill. They have known that the bill was on the agenda of the Committee on the Judiciary for several weeks. Likewise, they have known that on the 21st day of this month, the full Committeee on the Judiciary, after adopting an amendment which gave some exemptions to the CIA and the National Security Agency—which, in my judgment, they should not have—reported the bill unanimously and favorably to the Senate.

Mr. President, the CIA waited until the end of last week and then for the first time undertook to demand that it be allowed a secret hearing before the Judiciary Committee in support of its wish to be totally excluded from the provisions of this bill.

I am going to make a suggestion to the CIA; namely, that some of its officials read title 18, section 1913 of the United States Code—especially those provisions which are in these words:

> No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service—

I now omit certain words which are not germane—

> intended or designed to influence in any manner a Member of Congress to favor or oppose by vote, or otherwise, any legislation . . . by Congress whether before or after the introduction of any bill or resolution proposing such legislation.

Mr. President, I am going to have the temerity to suggest that the CIA investigate to see whether or not any of its officers have been violating that statute—that is, if the CIA can lay aside its zeal to excercise unlimited powers of tyranny over their employees and those who apply to it for employment long enough to do so.

I would like to make this plain. I am opposed to the Judiciary Committee's holding any secret meeting to hear officers of the Central Intelligence Agency give reasons which cannot be divulged to the American people why their employees should be robbed of the dignity and the freedom which all other Americans enjoy. I do not believe that legislation affecting the rights of any Americans should be based on secret testimony. Such action is incompatible with a free society.

I see no practical or policy reasons for granting this request, and I find no constitutional grounds for it. It is neither necessary nor reasonable.

The men who drafted the Constitution envisioned a government of laws, not of men. They meant that wherever our national boundaries should reach, there the controls established in the Constitution should apply to the actions of government. The guarantees of the amendments hammered out in the State constitutional conventions and in the meetings of the First Congress had no limitations. They were meant to apply to all Americans; not to all Americans with the exception of those employed by the Central Intelligence Agency and the National Security Agency.

My research has revealed no language in our Constitution which envisions enclaves in Washington, Langley, or Fort Meade, where no law governs the rights of citizens except that of the director of an agency. Nor have I found any decision of the highest court in the land to support such a proposition.

Why, then, do these agencies want to be exempt from this bill?

Is it that, unbeknown to Congress, their mission is such that they must be able to order their employees to go out and lobby in their communities for open-housing legislation or take part in Great Society poverty programs—things which this bill would prohibit?

Must they order them to go out and support organizations, paint fences, and hand out grass seeds, and then to come back and tell their supervisors what they did in their spare time, and at their own expense, and on their weekends?

Do they have occasion to require their employees to go out and work for the nomination or election of candidates for public office? Must they order them to attend meetings and fundraising dinners for political parties in the United States?

Do they not know how to evaluate a secretary for employment without asking her how her bowels are, if she has diarrhea, if she loved her mother, if she goes to church every week, if she believes in God, if she believes in the second coming of Christ, if her sex life is satisfactory, if she has to urinate more often than other people, what she dreams about, and many other extraneous matters?

Documents in the files of the subcommittee show these particular agencies have been asking these questions of persons applying to them for employment.

Why do these two agencies want the license to coerce their employees to contribute to charity and to buy bonds? The subcommittee has received fearful telephone calls from employees stating that they were told their security clearances would be in jeopardy if they were not buying bonds, because it was an indication of their lack of patriotism.

Why should Congress grant these agencies the right to spend thousands of dollars to go around the country recruiting on college campuses, and the right to strap young applicants to machines and ask them questions about their family, and personal lives such as—

When was the first time you had sexual relations with a woman?

How many times have you had sexual intercourse?

Have you ever engaged in homosexual activities?

Have you ever engaged in sexual activities with an animal?

When was the first time you had intercourse with your wife?

Did you have intercourse with her before you were married?

How many times?

What an introduction to American Government for these young people.

The subcommittee has also received comments from a number of professors indicating the concern on their faculties that their students were being subjected to such practices.

That we are losing the talent of many qualified people who would otherwise choose to serve their Government is illustrated by the following letter:

I am now a Foreign Service Officer with the State Department and have been most favorably impressed with the Department's security measures.

However, some years ago I was considered for employment by the CIA and in this connection had to take a polygraph test. I have never experienced a more humiliating situation, nor one which so totally violated both the legal and moral rights of the individual. In particular, I objected to the manner in which the person administering the test posed questions, drew subjective inferences and put my own moral beliefs up for justification. Suffice it to say that after a short time I was not a "cooperative" subject, and the administrator said he couldn't make any sense from the polygraph and called in his superior, the "deputy chief."

The deputy chief began in patronizing, reassuring tones to convince me that all he wanted was that I tell the truth. I then made a statement to the effect that I had gone to a Quaker school in Philadelphia, that I had been brought up at home and in school with certain moral beliefs and principles, that I had come to Washington from my university at the invitation of the CIA to apply for a position, not to have my statements of a personal and serious nature questioned not only as to their truth but by implication as to their correctness, and that I strongly objected to the way this test was being administered.

The deputy chief gave me a wise smile and leaning forward said, "Would you prefer that we used the thumb screws?" (!) I was shocked at this type of reasoning, and responded that I hardly thought it was a question of either polygraph or the thumb screws.

This incident almost ended the deep desire I had for service in the American Government, but fortunately I turned to the Foreign Service. But if it happened to me it must have happened and be happening to hundreds of other applicants for various Federal positions.

On the subject of polygraphs, the AFL–CIO in 1965 stated:

The AFL–CIO Executive Council deplores the use of so-called "lie detectors" in public and private employment. We object to the use of these devices, not only because their claims to reliability are dubious but because they infringe on the fundamental rights of American citizens to personal privacy. Neither the government nor private employers should be permitted to engage in this sort of police state surveillance of the lives of individual citizens.

Legislatures in five States and several cities have already outlawed these devices, and many unions have forced their elimination through collective bargaining.

The Director of the Federal Bureau of Investigation has said they are unreliable for personnel purposes.

Why should Congress take a step backward by specifically authorizing their continued use on American citizens in these two agencies to ask about their sex lives, their religion, and their family relationships?

Bear in mind that, reprehensible as these lie detectors are, the bill only limits their use in certain areas, and the Director of each of these agencies, under the amendment, may still authorize their use if he thinks it necessary to protect the national security. Personally, I fear for the national security if its protection depends on the use of such devices.

Similarly, the question may be asked, why should these agencies force their employees to disclose all of their and their families' assets, creditors, personal and real property, unless they are responsible for handling money? Nevertheless, under the bill, the CIA and NSA have been granted the exemption they wished, to require their employees to disclose such information, if the director says it is necessary to protect the national security. What more do they want?

This bill, as amended, would give them this privilege.

Apparently, what they want is to stand above the law.

Taken all together, their arguments for complete exemption suggest only one conclusion—that they want the unmitigated right to kick Federal employees around, deny them respect for individual privacy and the basic rights which belong to every American regardless of the mission of his agency.

The idea that any Government agency is entitled to the "total man" and to knowledge and control of all the details of his personal and community life unrelated to his employment or to law enforcement is more appropriate for totalitarian countries than for a society of freemen. The basic premise of S. 1035 is that a man who works for the Federal Government, even if he works for the CIA or NSA, sells his services, and not his soul.

Mr. HRUSKA. Mr. President, will the Senator from North Carolina yield?

Mr. ERVIN. I am happy to yield to my friend the Senator from Nebraska.

Mr. HRUSKA. Mr. President, I listened with interest to the remarks of the author of the bill of rights for Government employees. It was my privilege to sit in and participate in many of the hearings concerning this bill. It was an admirable performance on the part of the Senator from North Carolina, because he was able to elicit much information under very difficult situations, sometimes in areas that are quite sensitive; and yet there has been a record compiled which, in my belief, will make it mandatory upon the Senate to approve the bill.

It has been my pleasure to be one of the cosponsors. Later in the day I expect to speak on the subject briefly, in an introductory way, to add to the information that will be available to our fellow Senators when this bill will actually come before this body.

It had been my understanding that the bill was set for debate and disposition today; and I ask the Senator from North Carolina, was there a change in the program?

Mr. ERVIN. My information is that the Central Intelligence Agency requested of the leadership, at the last moment, that the bill go over, and that the leadership, felt that under the circumstances it was necessary to accede to that request.

Mr. HRUSKA. What is the motivation for a body outside of Congress to ask for a delay in consideration of a bill?

Mr. ERVIN. The action of the CIA is without precedent during the 13 years I have been in the Senate. The bill had been reported to the Senate unanimously by the Committee on the Judiciary. The CIA had been kept constantly informed through the liaison between its representatives and the subcommittee staff of everything that had occurred in the progress of the bill.

Instead of coming before the committee or subcommittee during the last 12 months and asking for a hearing, the CIA, which does not want to have any restrictions upon its activities, which does not want to be called into account by its employees under any circumstances, and which wants to be exempted from the provisions of law that ought to apply to every other agency in this country, arbitrarily decided to come in at the last minute and make this request, notwithstanding it could have made it at any time during the previous 12 months.

Mr. HRUSKA. I would not think that the motivation of the CIA would be for the purpose of gaining time to contact individual Members of this body, hoping to persuade them to change their minds on the matter. After all, there is a statute which says no such lobbying, no such influencing, no such direct contact with a Senator shall be made by department or employee of the executive branch, except in response to questions which might be posed.

I do not think that possibly could be one of the reasons they would have asked for the delay in consideration of the bill. Has the Senator any thought on that subject?

Mr. ERVIN. I quoted the statute at the outset of my remarks, and I suggested that if the CIA could leave its polygraph machine long enough and abandon its psychological tests long enough, it might conduct an investigation to see whether any of its officials or representatives are violating the statute by lobbying with individual Senators.

Mr. HRUSKA. We normally should presume they would not do anything that is against the law, and I would favor them with that kind of presumption. It would be interesting to find out, though, in the course of the next couple of weeks, what actually may have transpired, if our colleagues will tell us whether they have been sought out.

Mr. ERVIN. Despite information reaching me about what has occurred in the immediate past, and my apprehension as to what will occur in the immediate future, I nevertheless hope that the presumption of innocence will continue to surround the CIA.

Mr. HRUSKA. The observation has been made that since their operation is somewhat unique, and secrecy is inherent, they should be granted an exemption from the provisions of the bill. But

I understand they have had ample opportunity to testify in the hearings. Has any showing been made in public, or has it all been in executive session?

Mr. ERVIN. I asked representatives of both these agencies last year, and again this year, if they wanted to have hearings before the subcommittee with respect to this bill. They informed me that they did not. They told me that they would like to come and present their views to me individually and privately; and I heard them in private both last year and this year at great length. Moreover, I assert that the bill in its present form takes care of every valid objection they made.

In addition to that, I am informed by members of the subcommittee staff that the CIA in particular, through its representatives, has been in constant communication with members of the subcommittee staff, and has been kept advised as to all of the developments with respect to this bill.

I wish to state here that so far as I know, the NSA has not participated in these last-minute maneuvers to postpone consideration of this bill, which ought to be passed as speedily as possible, in order that Federal employees in the executive departments and agencies of this Government might be able to stand erect in dignity, and enjoy the same rights which come as a matter of course to all other Americans.

Mr. HRUSKA. Mr. President, I wish to observe that I certainly am not hostile to the CIA. I have not been in sympathy with some of the efforts made in this body to open the CIA and the administration of its affairs to a so-called "watchdog" committee or committee of supervision. I have great faith in them, and I have great faith in their ability to accomplish their mission.

But at the same time, they cannot be permitted to use methods that will trample upon the constitutional rights of their employees or applicants for employment. The record shows they have used such employment practices in recent years.

In a nation which extends to those charged with crime, and even those convicted of crime, a great many constitutional rights without, apparently, any fear of jeopardizing our national security, then certainly citizens working for the CIA, or applying for employment there, should be accorded those fundamental constitutional rights. It would be derelict if this body and Congress generally did not take action to achieve that end.

Mr. ERVIN. Certainly the CIA was created by Congress to perform a most important service—namely, to protect the national security of the United States. Letters in the committee files and interviews with persons who, in times past, applied to CIA for employment, suggest to me that many of the brightest minds among the youth of this Nation, who wanted to work for the CIA, have refused to take jobs with them because of the very deplorable personnel practices they have, in subjecting their applicants for employment to insulting polygrapth tests and insulting psychological tests. The CIA is driving away from Government employment some of the brightest minds of the youth of this Nation.

Mr. HRUSKA. I should like to propound this question to the distinguished Senator from North Carolina: Does this bill propose to prohibit the asking of certain questions either during polygraph tests or otherwise, as a part of hiring, placement, or employee evaluation practices?

Is there anything in the pending bill which would prevent those agencies, including the CIA, from asking a third person questions in the fields in which direct inquiry is prohibited?

Mr. ERVIN. Under the original bill, they can ask anybody out of all the earth's inhabitants any questions about their employees or applicants for employment except three sets of questions which the original bill forbid them to put to an employee or an applicant for employment.

They are prohibited by the original bill from asking employees or applicants about their personal relationships with members of their own families, about matters of religion, or about attitudes and practices in matters of sex.

I might state, as the Senator knows, that the full committee added an amendment to the original bill which allows the Director of the CIA and the Director of the NSA to put even these three sets of forbidden questions to an employee or applicant if the Director finds it necessary to do so in order to promote national security.

Mr. HRUSKA. I do recall that amendment, and I would have no objection to it. However, if there is an attempt to amend the pending bill to grant to the CIA a flat exemption from all its terms and provisions, I not only will oppose such an amendment, but will also look with great favor upon an effort to take from the bill the limited exemption which was agreed to in the full committee.

I just mention that to the Senator from North Carolina as a bit of gratuitous information.

Mr. ERVIN. Mr. President, that assurance gives great strength and encouragement to the Senator from North Carolina.

We have a record relating to this bill which consists of 966 pages, and it shows the necessity for passing the pending bill in its present form as to all executive departments and agencies of the Federal Government.

In addition, the subcommittee has literally thousands of letters in its files setting forth things such as the information set out in the record of the hearings.

I venture the assertion that if each Senator could find the time to read this voluminous record, there would not be a single dissenting vote on the final passage of the pending bill. And moreover, I predict that, in that event, there would not be a vote to exclude any Federal department or agency from the coverage of the bill.

Mr. HRUSKA. Mr. President, again I assert no hostility toward the CIA. That is not the reason some of us are opposed to completely exempting the CIA from the terms and provisions of the pending bill. It is because they have been the greatest transgressors in this regard, as shown by the record.

Mr. ERVIN. The information received by the subcommittee shows that the use of polygraph tests has been abandoned by virtually every department and agency except the CIA and the NSA, which agencies for some strange reason persist in using this machine which can only be described as a species of 20th-century witchcraft.

It is my understanding that no court in this land will permit a polygraph test to be admitted in evidence.

Mr. HRUSKA. What are the reasons for that exclusion?

Mr. ERVIN. The reason for the exclusion is that the machine is of the most dubious value. The machine cannot interpret itself. The results of the tests must be interpreted by an operator. The machine merely measures physiological reactions as blood pressure, the pumping of adrenalin by the adrenal glands into the blood stream, and the like as a result of excitement and stimulation.

I had occasion as a North Carolina superior court judge to study polygraph tests when the alleged result of a polygraph test was offered in evidence by the prosecution in a murder case.

I gave close study to the matter. I came to the conclusion—a conclusion that is shared by many others—that a brazen liar can pass a polygraph test without any difficulty, but that a nervous or excitable individual or an individual who resents being insulted, no matter how truthful he may be, is not likely to do so.

I am frank to confess, when I think about the information in the committee file concerning the conduct of the CIA in the administration of tests of this kind, that I could not pass a polygraph test because my blood pressure shoots up too high.

Mr. HRUSKA. As I understand the Senator from North Carolina, despite the exclusion of the results of the polygraph tests in courts, the CIA still resorts to the polygraph machine in its employment practices.

Mr. ERVIN. The Senator is correct. And they do this notwithstanding the fact that a number of States have absolutely outlawed it for employment purposes, as is set out in the record of hearings.

Pages 419 and 420 disclose the fact that the State of Massachusetts has a statute providing that—

> No employer shall require or subject any employee to any lie detector tests as a condition of employment or continued employment.

The State of Oregon has a statute providing that—

> No person, or agent, or representative of such person, shall require as a condition for employment or continuation of employment, any person or employee to take a polygraph test or any form of a so-called lie-detector test.

The State of Rhode Island has a statute providing that—

> No employer or agent of any employer shall require or subject any employee to any lie-detector test as a condition of employment or continued employment.

The State of Hawaii has a statute providing that—

It shall be unlawful for a private employer or his agent, or an agent of a public employer to require an employee to submit to a polygraph or lie-detector test as a condition of employment or continued employment.

Yet, in the face of those statutes which reflect a strong public sentiment in those States, the CIA insists on subjecting employees and applicants to lie-detector tests as a condition of employment or continued employment. And the bill permits it to continue to use the test in all cases except it prohibits the operator from asking three categories of questions unless the Director finds that putting them to the employee or applicant is necessary for national security purposes. Polygraph tests ought to be outlawed. However, practical considerations have deterred the sponsors of the bill from attempting to do so at this time.

The Warren Commission had this to say, as set out on page 419 of the hearings:

In evaluating the polygraph, due consideration must be given to the fact that a physiological response may be caused by factors other than deception, such as fear, anxiety, neurosis, dislike and other emotions. There are no valid statistics as to the reliability of the polygraph * * *

PROTECTION OF GOVERNMENT EMPLOYEES

Mr. HRUSKA. Mr. President, as a member of the Constitutional Rights Subcommittee, which has devoted extensive hearings to the question of the existing relationship between the Federal Government and Federal employees, I am pleased to be a cosponsor of S. 1035, and I am pleased to speak in its behalf.

Consideration of this bill also offers the opportunity for me to commend the subcommittee chairman, the Senator from North Carolina [Mr. ERVIN] for his perceptive work and tireless efforts. Senator ERVIN is a man who believes that a living constitution is one to be obeyed, not one to be redefined for the sake of expediency.

This bill is a tribute to his efforts to protect the individual from the good intentions of the Government.

Subcommittee hearings over the last three Congresses have documented the need to protect the employee. However well intentioned the Civil Service Commission, however voluntary the study, however beneficial the goal of surveys and fund drives, the fact remains that the individual has been coerced into revealing personal information, forced to account for his off-duty hours, and compelled to donate his time and money to projects and drives. His integrity has been questioned without reason and, in extreme cases, he has been stripped of his dignity. All of this has been done in the name of high ideals.

The number of Federal employees in June of this year rose to 2,980,156. To those who take pride in the growth of our Government, it is an impressive figure. To me, among other things, it means a growing number of citizens are coming under an unjust employment system. Most employees will submit to these injustices, not because they don't care, but because they do not feel they can fight the system.

The provisions of this bill cannot be considered startling. They reaffirm the simple truth that the Government employee, as much as any citizen, has the right to privacy in his thoughts and personal life and the right to privacy in his offduty activities. But, in view of the evils sought to be remedied, the provisions of this bill must be considered far-reaching and vital.

Many present practices in the Federal Government, and those that are possible, epitomize the concept of big brotherism. The employee's history is compiled, his personal beliefs are pried into, his off-duty activities are monitored and directed, his personal finances are explored, and his attendance is required at motivational meetings supporting programs and drives to which he then is requested to devote his time and money. Some employees have been subjected to more humiliation than a criminal defendant, and without the guarantees of due process. There can be no justification for such wholesale, indiscriminate invasion of privacy.

The bill prohibits oral and written questions on the subject of race, religion, national origin, personal beliefs, and off-duty conduct. It prohibits required donation of time and money to projects and fund drives.

Last year's report on S. 3779 indicated that one department, by regulation, requested employees to participate in specific community activities promoting antipoverty, beautification, and equal employment. They were told to make speeches on many subjects, to supply grass seed for beautification projects, and to paint other people's houses. Most commendable public-spirited activities. But what business does the Government have issuing regulations on such a subject? What business does the Government have asking whether you believe in God, whether you hate your mother, what your sexual relation is with your wife? These policies are indefensible. It is the time for this Congress to decide how much of his dignity a man must surrender to work for this democratic government.

S. 1035 does more than declare the sense of Congress. It contains effective, efficient enforcement provisions. It is designed to insure the employee an effective remedy for a wrong while still protecting the employer from unjustified charges. The employee may go either to the court or to the Employee Rights Board, as he deems best.

In court, an aggrieved person may not only prevent abuse of his rights, but where appropriate, may receive redress. The Attorney General is empowered to defend any such action when it appears that the defendant, himself, was subject to directives and regulation or where his action was not a willful violation of the law. Such a provision protects supervisors and directors from baseless suits or innocent error while granting effective rights to the employee.

The Employee Rights Board provides an impartial means to administratively review questioned actions. Management is not judging its own actions and the employee is removed from the pressures and fears inherent in fighting the system.

Adequate provision is made in S. 1035 to insure that the Government will have qualified employees. If there are reasonable grounds to believe an employee has violated the law, is unqualified for a specific assignment, or may endanger the national security, there may be inquiry consistent with the concepts of fairness and due process.

Mr. President, the April 8 issue of the Omaha World-Herald contains an article originating in its Washington bureau, which is pertinent to the discussion in which I have engaged. I ask unanimous consent that it be inserted in the RECORD at this point in my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Omaha World-Herald, Apr. 8, 1967]

U.S. EMPLOYEES SAY RIGHTS INVADED

The chairman of the Senate Constitutional Rights subcommittee has asked Defense Department opinion of a series of policy letters issued by an Omaha Army officer, which the Senator suggests are "misguided . . . paternalistic."

Senator Sam J. Ervin's (Dem., N.C.) letter to Secretary of Defense McNamara, which are tied to his long-continuing legislative battle to prevent unwarranted invasion into the private lives of military and civilian employes of the Government, deals with policy letters issued in January over the signature of Maj. Edward M. Corson, commander of the Armed Forces Examining and Entrance Station in Omaha.

Since the subcommittee began its investigation several years ago, it has received thousands of complaints from all the states from Federal employes contending that their rights have been invaded.

Mr. Ervin is the author of two pending bills, one relating to civilian employees and another to military personnel.

They are designed to prohibit coercion in solicitation of charitable contributions of the purchase of United States Savings Bonds—a frequent complaint—as well as requests for disclosure of race, religion and national origin, or pressure to attend functions, or reports on their outside activities unrelated to their work.

In one of his policy letters, Major Corson wrote that the President had urged Government personnel to buy Savings Bonds, and he said:

"All personnel of this station will aid this program by participation in the Army Savings Bond Program."

Of this, Senator Ervin told Secretary McNamara:

"Major Corson's enthusiasm on behalf of the savings bond drive appears to be misguided."

A memorandum issued by the Pentagon last December 21 says "The choice of whether to buy or not to buy a United States Savings Bond is one that is up to the individual concerned. He has a perfect right to refuse to buy and to offer no reason for that refusal."

In another policy letter, relating to military personnel, Major Corson wrote:

"Several functions and activities are planned and sponsored by this station during the course of the year. All personnel will attend such events unless excused by the commander because of extenuating circumstances, such as financial hardship, physical indisposure, leave, etc."

In another policy letter, the major said all personnel "are required to have at least two front seat belts in their privately owned vehicles." He said also that maximum travel in a privately owned vehicle on a two-day week end is 250 miles, for a three-day week end, 350 miles.

A number of Nebraska employes of the Federal Housing Administration protested

FHA practices, particularly what they said was a requirement that questionnaires regarding outside employment include information on an employe's family and outside jobs held by them.

There was criticism of a regulation said to require information on either the sale or purchase of a residence even when FHA is not involved.

MAJOR CORSON: NO STATEMENT

Contacted in Omaha Friday, Major Corson said he has no statement at this time.

Russell M. Bailey, director of the Nebraska FHA, was asked for comment. He said his office follows the regulations of the Civil Service Commission and the Federal Employment Manual.

These include rules to avoid conflict of interest, he said, which is why questions are asked about outside employment and property purchases.

Mr. HRUSKA. Mr. President, there is no need for this powerful Government, with its resources and resourcefulness, to strip its employees of their rights, either to protect itself or to guide them. This Senator urges support of S. 1035 which is simply necessary and right.

Mr. President, I thank the Senator from North Carolina for yielding to me.

ENROLLED JOINT RESOLUTION SIGNED

The PRESIDENT pro tempore announced that on today, August 29, 1967, he signed the enrolled joint resolution (H.J. Res. 804) making continuing appropriations for the fiscal year 1968, and for other purposes, which had previously been signed by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATIONS, INC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT ON COMMISSARY ACTIVITIES OUTSIDE THE CONTINENTAL UNITED STATES

A letter from the Acting Assistant Secretary for Administration, Department of Commerce, transmitting, pursuant to law, a report on commissary activities outside the continental United States, for the fiscal year 1967 (with an accompanying report); to the Committee on Commerce.

AMENDMENT OF PART I OF FEDERAL POWER ACT

A letter from the Chairman, Federal Power Commission, Washington, D.C., transmitting a draft of proposed legislation to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised (with an accompanying paper); to the Committee on Commerce.

REPORT OF COMPTROLLER GENERAL

A letter from the Comptroller General of the United States, transmitting, pursuant to law, a report on followup review of cotton inventory management by the Commodity Credit Corporation, Department of Agriculture, dated August 1967 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on the Judiciary:

"ASSEMBLY JOINT RESOLUTION 27

"Joint resolution relative to revision of the Federal judiciary

"WHEREAS, There is a significant trend toward making the judiciary more responsive to the will of the people; and

"WHEREAS, Our republic is made greater and more complete when the electorate can exercise some degree of control over the judiciary; and

"WHEREAS, A majority of states have already seen fit to organize their judicial systems so as to provide for some means of control by the voters; now, therefore, be it

"Resolved by the Assembly and Senate of the State of California, jointly, That the Members respectfully memorialize the Congress of the United States to revise the laws relating to the federal judiciary so as to provide that all federal judges be elected by the people in their respective districts every eight years; and be it further

"Resolved, That each judge shall run for retention by the voters on his record as a judge, and that no judge be required to run until eight years following his initial selection; and be it further

"Resolved, That the Congress of the United States initiate an amendment to the United States Constitution so that justices of the Supreme Court would likewise come before all the people of the nation every eight years for retention or rejection, as would all other federal judges; and be it further

"Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A letter from the vice chairman, Ohio-West Virginia Industry Committee on Air Pollution Abatement, Canton, Ohio, transmitting a copy of an act adopted by the General Assembly of the State of Ohio, relating to an Ohio-West Virginia interstate compact to control air pollution; to the Committee on the Judiciary.

A letter from the associate city attorney, Atlanta, Ga., transmitting, for the information of the Senate, copies of petitions, answers, and demurrers in certain cases relating to waters being flooded into the system of drains in the city of Atlanta; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILLIAMS of New Jersey, from the Committee on Banking and Currency, with an amendment:

S. 510. A bill providing for full disclosure of corporate equity ownership of securities under the Securities and Exchange Act of 1934 (Rept. No. 550); and

By Mr. WILLIAMS of New Jersey, from the Committee on Banking and Currency, with amendments:

S. 1985. A bill to amend the Federal Flood Insurance Act of 1956, to provide for a national program of flood insurance, and for other purposes (Rept. No. 549).

By Mr. BURDICK, from the Committee on Interior and Insular Affairs, with an amendment:

S. 1763. A bill to promote the economic development of Guam (Rept. No. 551).

By Mr. MAGNUSON, from the Committee on Appropriations, with amendments:

H.R. 9960. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes (Rept. No. 548).

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: OFFICIAL DOCUMENTS"—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported the following original resolution (S. Res. 162); which was referred to the Committee on Rules and Administration:

S. RES. 162

Resolved, That there be printed for the use of the Committee on Government Operations 7,000 additional copies of the committee print entitled "Planning-Programing-Budgeting: Official Documents," issued by that committee during the 90th Congress, first session.

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: SELECTED COMMENT"—REPORT OF A COMMITTEE

Mr. JACKSON, from the Committee on Government Operations, reported the following original resolution (S. Res. 163); which was referred to the Committee on Rules and Administration:

S. RES. 163

Resolved, That there be printed for the use of the Committee on Government Operations 7,000 additional copies of the committee print entitled "Planning-Programing-Budgeting: Selected Comment," issued by that committee during the 90th Congress, first session.

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE—REPORT OF A COMMITTEE

Mr. CLARK, from the Committee on Labor and Public Welfare, reported the following original resolution (S. Res. 164); which was referred to the Committee on Rules and Administration:

S. RES. 164

Resolved, That Senate Resolution 17, 90th Congress, first session, agreed to February 20, 1967, is amended by striking out "$165,000" in section 4, and inserting in lieu thereof "$185,000."

EXECUTIVE REPORT OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. MAGNUSON, from the Committee on Commerce:

Joseph W. Bartlett, of Massachusetts, to be General Counsel of the Department of Commerce.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unani-

mous consent, the second time, and referred as follows:

By Mr. JACKSON (by request):

S. 2354. A bill to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. JACKSON when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 2355. A bill to make certain technical amendments to the Library Services and Construction Act, and for other purposes; to the Committee on Labor and Public Welfare.

By Mr. GRIFFIN:

S. 2356. A bill to authorize the Secretary of Commerce to make a study in order to recommend an improved system of weights and measures, and standards in connection therewith, for United States and international use; to the Committee on Commerce.

(See the remarks of Mr. GRIFFIN when he introduced the above bill, which appear under a separate heading.)

By Mr. BYRD of Virginia (for himself and Mr. SPONG):

S.J. Res. 109. Joint resolution to authorize and request the President to issue a proclamation commemorating 50 years of service to the Nation by the Langley Research Center; to the Committee on the Judiciary.

RESOLUTIONS

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: OFFICIAL DOCUMENTS"

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 162) authorizing the printing of additional copies of the committee print entitled "Planning-Programing-Budgeting: Official Documents," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JACKSON, which appears under the heading "Reports of Committees.")

AUTHORIZATION TO PRINT ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "PLANNING-PROGRAMING-BUDGETING: SELECTED COMMENT"

Mr. JACKSON, from the Committee on Government Operations, reported an original resolution (S. Res. 163) authorizing the printing of additional copies of the committee print entitled "Planning-Programing-Budgeting: Selected Comment," which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. JACKSON, which appears under the heading "Reports of Committees.")

ADDITIONAL FUNDS FOR THE COMMITTEE ON LABOR AND PUBLIC WELFARE

Mr. CLARK, from the Committee on Labor and Public Welfare, reported an original resolution (S. Res. 164) to provide additional funds for the Committee on Labor and Public Welfare, which was referred to the Committee on Rules and Administration.

(See the above resolution printed in full when reported by Mr. CLARK, which appears under the heading "Reports of Committees.")

AMENDMENT OF ACT RELATING TO THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES

Mr. JACKSON. Mr. President, I introduce, by request, for appropriate reference, a bill to amend the act of October 15, 1966, establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes.

This bill has been submitted and recommended by the Chairman of the Advisory Council on Historic Preservation as an executive communication. I ask unanimous consent that the letter accompanying the legislation, and explaining it, be printed at this point in my remarks.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 2354) to amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes, introduced by Mr. JACKSON, by request, was received, read twice by its title, and referred to the Committee on Interior and Insular Affairs.

The letter, presented by Mr. JACKSON, is as follows:

ADVISORY COUNCIL ON HISTORIC PRESERVATION,
Washington, D.C., August 22, 1967.

Hon. HUBERT H. HUMPHREY,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed is a draft of a proposed bill "To amend the act of October 15, 1966 (80 Stat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes."

We recommend that the draft bill be referred to the appropriate Committee for consideration, and we recommend that it be enacted.

The Advisory Council on Historic Preservation was established in accordance with Title II of the act of October 15, 1966. Section 202 (b) requires that the Council submit annual reports to the President and the Congress and that it shall from time to time submit such additional and special reports as it deems advisable. Each report shall propose such legislative enactments and other actions as, in the judgment of the Council, are necessary and appropriate to carry out its recommendations.

At its meeting in Washington on July 20–21, 1967, the Advisory Council on Historic Preservation adopted resolutions favoring an expansion of its membership and participation by the United States as a member in the International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre).

EXPANDED MEMBERSHIP OF THE COUNCIL

The Council recommends that the Secretary of Agriculture, the Secretary of Transportation, and the Secretary of the Smithsonian Institution be afforded membership on the Council. It also recommends that the Chairman of the National Trust for Historic Preservation, like other statutorily designated members, be afforded the privilege of designating an alternate. Section 1 of the enclosed draft of bill offers the amendments necessary to accomplish these recommendations.

The Secretary of Agriculture's responsibility in historic preservation stems from his administration of tremendous acreages of Federal land which may contain historic or prehistoric ruins, or objects of antiquity. The Department of Transportation Act of October 15, 1966 (80 Stat. 931), transferred to the Secretary of Transportation duties and responsibilities respecting the highway and road building program of the Federal Government. Subsection 2(b)(2) of the act declares it to be the national policy, in carrying out the provisions of the act, to make a special effort to preserve historic sites. Section 15(a) of the Federal-Aid Highway Act of 1966 (80 Stat. 766) declares a similar policy. By virtue of the National Museum Act of 1966, approved October 15, 1966, (80 Stat. 953), the Secretary of the Smithsonian Institution has responsibility for a program of national and international research, training, and publication to assist the museum profession in preserving the cultural heritage of the Nation. In addition, the Smithsonian is the custodian of national collections in history, art, and science.

Inclusion of the Secretaries of Agriculture, Transportation, and the Smithsonian Institution, in the membership of the Advisory Council on Historic Preservation will thus strengthen the Council and facilitate its coordination responsibility by providing membership to a broader spectrum of the Nation's involvement in historic preservation.

PARTICIPATION IN THE ROME CENTRE

The International Centre for the Study of the Preservation and the Restoration of Cultural Property (Rome Centre) was established by UNESCO, in 1958, as an independent intergovernmental organization of professional conservators, to:

Article 1, statutes of the Rome Centre

"(a) collect, study and circulate documentation concerned with the scientific and technical problems of the preservation and restoration of cultural property:

"(b) coordinate, stimulate or institute research in this domain, by means, in particular, of commissions to bodies or experts, international meetings, publications and exchanges of specialists;

"(c) give advice and recommendations on general or specific points connected with the preservation and restoration of cultural property;

"(d) assist in training research workers and technicians and raising the standard of restoration work."

Clearly the Rome Centre is engaged in a program which, if the opportunity were available, would enhance the national policy of preserving this Country's historical and cultural foundations. Beginning with the Antiquities Act of 1906 (34 Stat. 225), the Congress expressed its concern for the preservation of historic landmarks, historic and prehistoric structures and other objects of historic preservation situated upon lands owned or controlled by the Government of the United States and provided for the protection of these properties. The Historic Sites Act of August 21, 1935 (49 Stat. 666), declared a national policy to preserve for public use historic sites, buildings, and objects of national significance for the inspiration and benefit of the people of the United States. Moreover, important implementing authority was provided in that act, including among others, the authority for the Secretary of the Interior to conduct a survey of properties possessing exceptional value as commemorating or illustrating the history of the United States.

In 1966, the Congress took cognizance of the ever-increasing threats to the preserva-

tion of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture. The Historic Preservation Act of October 15, 1966 (80 Stat. 915), broadened the national policy to encourage preservation by private individuals. It strengthened and expanded the work then being done under the Historic Site Act of 1935 by providing a grant program and encouraging the broadest participation at local, regional, state, and national levels, including the participation of the private sector. In establishing the Council, the act of 1966 charged it with the duty of advising the President and the Congress on matters relating to preservation of such properties, recommending measures to coordinate public and private preservation efforts, and reviewing plans for Federal undertakings and the undertakings of others involving Federal assistance.

In view of the very clear national policy of historic preservation and the advisory and coordinating responsibilities now assigned to it, the Council, at its meetings of July 21, adopted a resolution recommending legislation which would authorize United States participation in the Rome Centre and which would recognize the advisory and coordinating functions of the Council with respect to such participation.

It is in these circumstances that the Council transmits, as Section 2 of the enclosed draft of bill, language amending the Historic Preservation Act of 1966 so as to authorize United States participation in the Rome Centre.

Pursuant to Section 2 of the proposed bill, the Council will make recommendations to the Department of State as to the individuals who will be designated as the official delegates and alternates to take part in the activities of the Rome Centre on behalf of the United States. According to the statutes of the Rome Centre, these individuals "should be chosen from amongst the best qualified technical experts of specialized institutions concerned with the preservation and restoration of cultural property." In order to provide for the participation of the many public and private organizations concerned with the technical problems of preservation, the Smithsonian at the request of the Council will hold periodic meetings of qualified experts from such organizations to consider their professional problems and needs and to submit proposals to the Council and a list of specialists who might appropriately be designated as delegates or alternates to the Centre. The Council, pursuant to its existing authority, will make such recommendations as to delegates, policies, coordination, and other matters pertaining to the Rome Centre, as may be appropriate.

Through enactment of the enclosed draft of bill, the advisory and coordinating responsibilities of the Council will be utilized so as to obtain from United States participation in the Rome Centre the greatest possible benefit to the historic preservation programs of all agencies, public and private.

It is estimated that the United States contribution, for its first year of membership in the Rome Centre, will be approximately $50,000, and might increase during the next several years to approximately $80,000. Other expenses incident to United States participation in the activities and functions of the Centre are estimated at $7,500 in the years in which the Centre holds its biennial General Assembly, and at $3,500 in other years. On the basis of these estimates, enactment of this legislation would result in appropriation increases as follows: Fiscal Year 1969: $57,500; Fiscal Year 1970: $63,500; Fiscal Year 1971: $77,500; Fiscal Year 1972: $83,500; and Fiscal Year 1973: $87,500.

Attached to this letter is a statement containing additional details about the Rome Centre, its organization, programs and activities, and the estimated cost of the United States membership, together with an appendix thereto.

The Bureau of the Budget has advised that enactment of this legislation would be consistent with the objective of the Administration.

Sincerely yours,

S. K. STEVENS,
Chairman, Advisory Council on Historical Preservation.

COMPREHENSIVE STUDY OF THE METRIC SYSTEM

Mr. GRIFFIN. Mr. President, I introduce, for appropriate reference, a bill which would authorize the Secretary of Commerce, in consultation with those segments of the U.S. economy principally affected, to conduct a comprehensive study to determine the advantages and disadvantages of the increased use of the metric system of measurement in the United States.

The objective of such a study would be to provide a basis for determining whether this Nation should change from its present system of weights and measures to the metric system. The study would bring out and evaluate all aspects of the problem of conversion.

An impartial and thorough study of the feasibility of converting to the metric system of measurement is needed and is long overdue.

Already, 82 of the 135 nations of the world have adopted the metric system. In addition, it should be noted that Great Britain is moving toward metric system use; Canada is now engaged in a study of the effects of a similar adoption; and Australia is inquiring into the practicability of early adoption of the metric system by that country.

As the world's major industrial nation, the United States cannot close its eyes to such developments.

Some people in the United States are firmly opposed to conversion by this Nation to the metric system; others are eagerly advocating complete and quick conversion. Arguments and assumptions on both sides are intermixed with facts. Reliable information to provide the basis for wise judgments and sound decisions is sorely needed.

Mr. President, this controversy has been before the Congress for a number of years. Various bills have been introduced to authorize a Commerce Department study of the feasibility of conversion to the metric system. In the 89th Congress, such a bill introduced by the Senator from Rhode Island [Mr. PELL] passed the Senate but died in the House of Representatives. A similar bill is currently stalled in the House Committee on Rules.

Mr. President, as the world grows smaller and international trade expands; it becomes increasingly important that we move toward resolution of differences that exist in the systems for weights and measures. The outcome—or the failure to make progress—of this matter can have a far-reaching effect on the people and economy of the State of Michigan and of every other State of the Union.

The bill I am introducing today specifically directs the Department of Commerce to look into the more difficult questions, as well as the easier ones, surrounding possible conversion to the metric system.

The bill I introduce emphasizes that there should be no prejudgment of the issue or the results of the study.

The bill expresses an intent on the part of Congress that the study should be impartial, and that it should seriously examine both the advantages and disadvantages of conversion to the metric system.

Mr. President, I have supported the previous efforts to get such a study underway. This bill is similar in many respects to earlier bills, and is completely consistent with them. It does, however, add several new points of emphasis, which I believe will bring increased support for the proposed study.

For example, the bill I introduced today would assure that those segments of the Nation's economy which would be principally affected by conversion should be included and made participants in the planning, the conduct and evaluation of such study.

The bill would require that means be recommended to meet the practical difficulties and the high costs which some areas of the economy could face if the United States should convert to the metric system; and the bill proposes that focus be pleased upon the possibility, and to the extent to which the United States might prefer to retain, and actively seek international acceptance of, the English system of weights and measures now in use in the United States.

In addition, the bill provides that the study shall include and provide a comparative analysis of the basic standards underlying the various systems of measurements.

As previously mentioned, under this bill, industries and interests most directly affected by possible conversion would be able to participate in the study. Representatives of U.S. industry, labor, education, and science would be called upon for information bearing on the question. To the extent necessary both our own and foreign governments would be consulted.

Many agencies and organizations are eager and willing to cooperate. There have been a number of such expressions, both recently and in previous years. Industry in my own State of Michigan, for example, has already undertaken certain studies and is ready to assist in the official study which would be authorized by this legislation.

In the spirit of fairness, Mr. President, I believe this bill deserves the support of both proponents and opponents of conversion to the metric system. More important than resolving any controversy, however, is the need for the Congress to fully recognize the urgency of determining—without further delay—the advantages and disadvantages of conversion to the metric system.

I believe my bill provides a needed vehicle, a first step, so that we can get off dead center and authorize this important study.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD at this point.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD, in accordance with the request of the Senator from Michigan.

The bill (S. 2356) to authorize the Secretary of Commerce to make a study in order to recommend an improved system of weights and measures, and standards in connection therewith, for United States and international use, introduced by Mr. GRIFFIN, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 2356

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Commerce is hereby authorized to conduct a program of investigation, research, and survey to determine and make recommendations with respect to—

(1) any existing or proposed system of weights and measures, and various standards to be used in connection therewith, which could be recommended for international adoption;

(2) the extent to which it would be desirable and practicable to increase the use of the metric system of weights and measures, and various standards used in connection therewith, in the United States;

(3) the extent to which the United States should retain and promote international use of the system of weights and measures, and various standards used in connection therewith, currently in use in this country; and

(4) costs involved and benefits resulting from any such recommendations.

SEC. 2. In carrying out the program authorized in the first section of this Act, the Secretary, among other things, shall—

(1) investigate and appraise the advantages and disadvantages to the United States in international trade and commerce, and in military and other areas of international relations, of the increased use of an internationally standardized system of weights and measures;

(2) appraise economic and military advantages and disadvantages of the increased use of the metric system in the United States or of the increased use of such system in specific fields and the impact of such increased use upon those affected;

(3) conduct extensive comparative studies of the systems of weights and measures used in educational, engineering, manufacturing, commercial, public, and scientific areas, and the relative advantages and disadvantages, and degree of standardization of each in its respective field;

(4) investigate the extent to which uniform and accepted standards are in use in the metric system of weights and measures in each of the fields under study and compare the extent of such use and the utility of such metric standards with those in use in the United States;

(5) recommend specific means of meeting the practical difficulties and costs in those areas of the economy where any recommended change in the system of weights, measures, and standards would raise significant practical difficulties or entail significant costs of conversion; and

(6) delineate those areas, if any, in which it is recommended that the United States retain and promote international use of the system of weights and measures, and various standards used in connection therewith, currently in use in this country.

SEC. 3. In carrying out the program authorized in this Act, the Secretary shall also take appropriate steps to assure consultation with the segments of the United States economy which would be principally affected by any change in the system of weights, measures and standards in use in the United States, and specifically shall—

(1) permit appropriate participation by representatives of United States industry, science, engineering, and labor, and their associations, in planning and carrying out the program, and in the evaluation of the information secured under the program; and

(2) consult and cooperate with other government agencies, Federal, State, and local, and, to the extent practicable, with foreign governments and international organizations.

SEC. 4. The Secretary shall submit to the Congress such interim reports as he deems desirable, and within three years after the date of the enactment of this Act, a full and complete report of the findings made under the program authorized by this Act, together with such recommendations as required by this Act and such other recommendations as he considers to be appropriate and in the best interests of the United States.

SEC. 5. There are authorized to be appropriated such sums as are necessary to carry out the purposes of this Act.

SEC. 6. This Act shall expire thirty days after the submission of the final report pursuant to section 4.

ADDITIONAL COSPONSORS OF BILLS

Mr. MONTOYA. Mr. President, I ask unanimous consent that, at its next printing, the name of my colleague from Maryland [Mr. TYDINGS] be added as a cosponsor of my bill, S. 2147, the Wholesome Meat Act of 1967.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONTOYA. Mr. President, I also ask unanimous consent that, at its next printing, the name of my colleague from Wisconsin [Mr. NELSON], and my colleague from Maryland [Mr. TYDINGS] be added as cosponsors of my bill, S. 2263, to authorize the Secretary of Agriculture to cooperate with and furnish financial and other assistance to States and other public bodies and organizations in establishing a system for the prevention, control, and suppression of fires in rural areas.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD of West Virginia. Mr. President, on behalf of the Senator from Montana [Mr. METCALF], I ask unanimous consent that, at its next printing, the name of the junior Senator from Maryland [Mr. TYDINGS] be added as a cosponsor of the following bills:

S. 1834. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce; and

S. 1835. A bill to amend the Federal Power Act so as to require Federal Power Commission authority for the construction, extension, or operation of certain facilities for the transmission of electric energy in interstate commerce.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. PELL. Mr. President, I ask unanimous consent that at the next printing of S. 2061, a bill to amend the National Foundation on the Arts and the Humanities Act of 1965, the name of the Senator from Maryland [Mr. TYDINGS] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER OF BUSINESS

Mr. KUCHEL. Mr. President, I ask unanimous consent that I may proceed for 5 minutes.

The PRESIDING OFFICER (Mr. MONTOYA in the chair). Without objection, it is so ordered.

THE SPIRIT OF SERRA

Mr. KUCHEL. Mr. President, I was most honored last Sunday to speak in Statuary Hall at the annual commemoration ceremonies marking the end of the life of the late Friar Junipero Serra. This "Apostle of California" died at his beloved Mission of San Carlos in Carmel, on August 28, 1784. This was before we had a State of California or a United States.

These annual ceremonies are under sponsorship of the Serra Clubs International. I ask unanimous consent that a partial text of my comments on that occasion be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE SPIRIT OF SERRA

(Partial text of remarks by U.S. Senator THOMAS H. KUCHEL at a ceremony honoring the memory of Father Junipero Serra, Statuary Hall in the U.S. Capitol, Washington, D.C., August 27, 1967)

In the early afternoon of Saturday, August 28, 1784, the aging, crippled padre quietly limped to his room, in the shadow of his beloved mission of San Carlos at Carmel. He slowly lay back on his bed of boards, placed his crucifix across one of his arms, and spoke softly in his native Spanish: "Gracias a Dios, gracias a Dios, ya no tengo miedo, ya dormiré"—"Thank God, thank God, now I have no fear, now I will sleep."

These were the last utterances in the last moments of the long productive lifetime of a saintly Franciscan friar, as described by his life-long companion, Father Francisco Palou. The journey across the sea and thence along the far shores of the new world for Junipero Serra had come peacefully to its close. He had served well and long his God and his fellow man. To the lowly, indigenous Indians whom he met along the way, he brought Christianity. And so they whom he had sought to convert now brought to him a profusion of flowers as their message of love, and he was honored with a small military burial by the soldiers he had served and with whom he worked in New Spain.

Today, 183 years later, we gather to pay tribute once again to this Apostle of California. It may to some seem odd that we should pause amidst all of these surrounding figures of great Americans—Robert E. Lee, Roger Williams, Robert Fulton, and so many, many others—to honor the memory of this humble Majorca-born priest. Yet, Father Junipero Serra possessed, in a very real sense, the same creative, pioneering spirit, the same devotion, the same capacity for sacrifice which led such men as Roger Williams to the founding of Rhode Island, Robert Fulton to the development of the steam engine, and almost every past American leader to reach out to attain goals which some would dismiss as beyond his sphere. Father Serra

surely has earned his right to be here in the Capitol Building of free America. He was the embodiment of a devotion and a drive for a cause reflected in Western civilization as it has flowered in the intervening centuries. Father Serra was an early builder on this continent, as any one who knows California can testify, and his sacred missions remain the jewels of my state.

It is difficult for us today, in this, the Twentieth Century, fully to comprehend or to understand this "spirit of Serra." What made this man leave the beauty of his home in Petra, on the Island of Majorca, to travel thousands of miles to the uncharted and uncivilized areas of a New World? Some would answer and say his love of God alone impelled him to go forward. Surely this was true. Perhaps, as a corollary, and maybe the same thing expressed differently, he sought to help his fellow man to go forward too.

The statue before us symbolizes the principles that guided his life. Father Serra's cross, held high in his right hand, represents his love of God, a sentiment so strong that he was willing to forego family, friends, and a bright future in order to accept the challenge and the danger of missionary life far away.

It was only a few months ago that I stood on the street in Petra where Father Serra was born and lived. I visited his birthplace and I was made a member of the Asociación de Amigos de Fray Junipero Serra. My wife and I saw the relics of his early life in Spain. Majorca is a bright and dazzling jewel in the Mediterranean, and because of my trip to that Island, I believe I understand a little better the high resolve which must have moved this man to cast it all aside. He left his home and the beauty of Majorca, and an assured career as well. As a teacher of philosophy, his eloquence had attracted the whole populace of the City of Palma. But all that might so bountifully unfold for him on his Island weighed little in his determination to become a missionary halfway round the globe.

Father Serra wrote to a relative, Francisco Serra, in 1744. He wished to comfort his parents as he prepared to embark from Cadiz. He said:

"I intend to pledge myself to go to the missions and never return . . . Such is the will of God, that I shall render Him the little assistance I can; if He does not wish us to be together in this life, He will unite us in immortal glory. Tell them that I am very sorry not to be with them, as I was before, to comfort them, but they ought to have in mind also the principal thing must be held first, and that is the will of God. For nothing else but the love of God would I have left them."

Look again, fellow citizens, at the statue of Father Serra. In his left hand, held close to his side, is a replica of a mission—the lasting symbol of his creation and of his service to his fellow man. Remaining true to his motto—"always . . . go forward and never . . . turn back"—he was building missions, or planning to build them all the days of his life. At the end of each day's travel, he would contemplate the construction of a new house where both spiritual and secular needs of man might be met. Despite physical misfortune and the despair of his associates, he established 10 of 21 Franciscan Missions standing as milestones along El Camino Real, the trail he, himself, blazed through wilderness.

Although he never recovered from the lameness which afflicted him when he first arrived in the New World, he, nevertheless, traveled from one mission to another on foot and journeyed, over and over again, the distance of almost 600 miles between San Francisco and San Diego. Once, from California, he returned on foot to Mexico City to make sure his mission would not be interdicted.

Hampered in his work by the imprudence of soldiers and by the interference of governors (even then, it seems, my fellow citizens, there were some politicians who were impediments to progress), enduring privations from lack of food and shelter, surrounded at times by hundreds of hostile Indians, required to learn new languages that he might preach and teach to different tribes, he, nevertheless, succeeded in bringing the word of God and much of the old world civilization to the new.

Serra brought to California and to New Spain the orange, the lemon, the olive and the fig. Practically all of our flowers and fruits came from him and his fellow friars. He taught agriculture and animal husbandry. The natives were shown how to make brick and tile. He constructed water projects to irrigate the crops which grew alongside his missions.

His labors for God and for humanity are a moving and inspiring story of one who carried in his hand neither sword nor gun, but the cross. We honor this Franciscan friar and his works. Let us accept his teaching: "always go forward," "always go forward."

ARCHIE MOORE SPEAKS AGAINST HATE

Mr. KUCHEL. Mr. President—

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an Uncle Tom. I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and am proud of that.

These are the stirring sentiments of a distinguished American citizen who resides in my State of California. They are the opening sentences in an article which Archie Moore, retired light-heavyweight boxing champion of the world, himself wrote.

Archie Moore lives in San Diego. He sent his article to the sports editor of the San Diego Union, a distinguished American newspaper. The sports editor thought so highly of it that he brought it to the attention of Herbert G. Klein, the editor of that paper and a friend of many of us in this Chamber, because Mr. Klein was the press secretary of former Vice President Richard Nixon.

Herbert Klein ran the article on page 1 of the San Diego Union a couple of weeks ago. The reader reaction in San Diego was amazing. The newspaper gave permission to other American newspapers to publish it.

Archie Moore's article is a moving document, and it demonstrates that we need to live together in this country, black or white, rich or poor, in harmony. We cannot set race against race in America. This country is founded on law and order, and law and order must be respected by all our citizens. Meanwhile, there are things that people can do and things that government can do to help all the American people along the way. Archie Moore calls upon every one of us to join "Operation Gardener" and rid our society of the "weeds of hate." His article concludes with these dramatic words:

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

Mr. President, I ask unanimous consent that the entire article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LAWLESSNESS NO ANSWER: ARCHIE MOORE SPEAKS AGAINST HATE

(NOTE.—A little over 10 days ago the sports editor of the San Diego (Calif.) Union received a statement with the query, "What do you think of this?" The statement and query were from Archie Moore, retired light heavyweight boxing champion of the world. The sports editor liked the statement. So did Editor Herbert G. Klein and it appeared on Page 1 of the San Diego Union. In granting The Star reprint permission, Klein said that reader reaction in San Diego was amazing. "And," he added, "if anyone wants to know, Archie Moore wrote the statement himself.")

(By Archie Moore)

The devil is at work in America, and it is up to us to drive him out. Snipers and looters, white or black, deserve no mercy. Those who would profit from their brother's misfortunes deserve no mercy, and those who would set fellow Americans upon each other deserve no mercy.

I'll fight the man who calls me an Uncle Tom. I have broken bread with heads of state, chatted with presidents and traveled all over the world. I was born in a ghetto, but I refused to stay there. I am a Negro, and proud to be one. I am also an American, and am proud of that.

The young people of today think they have a hard lot. They should have been around in the '30s when I was coming up in St. Louis. We had no way to go, but a lot of us made it. I became light heavyweight champion of the world. A neighbor kid down the block, Clark Terry, became one of the most famous jazz musicians in the world. There were doctors, lawyers and chiefs who came out of that ghetto. One of the top policemen in St. Louis came from our neighborhood.

BAIT FOR SIMPLE-MINDED

We made it because we had a goal, and we were willing to work for it. Don't talk to me of your "guaranteed national income." Any fool knows that this is insanity. Do we bring those who worked to get ahead down to the level of those who never gave a damn? The world owes nobody—black or white—a living. God helps the man who helps himself!

Now then, don't get the idea that, I didn't grow hating the injustices of this world. I am a staunch advocate of the Negro revolution for the good of mankind. I've seen almost unbelievable progress made in the last handful of years. Do we want to become wild beasts bent only on revenge, looting and killing and laying America bare? Hate is bait, bait for the simple-minded.

Sure, I despised the whites who cheated me, but I used that feeling to make me push on. If you listen to the professional rabble-rousers, adhere to this idea of giving up everything you've gained in order to revenge yourself for the wrongs that were done to you in the past—then you'd better watch your neighbor, because he'll be looting your house next. Law and order is the only edge we have. No man is an island.

Granted, the Negro still has a long way to go to gain a fair shake with the white man

in this country. But believe this: If we resort to lawlessness, the only thing we can hope for is civil war, untold bloodshed, and the end of our dreams.

We have to have a meeting of qualified men of both races. Mind you, I said qualified men, not some punk kid, ranting the catch phrases put in his mouth by some paid hate-monger. There are forces in the world today, forces bent upon the destruction of America, your America and mine. And while we're on the subject, do you doubt for a minute that communism, world communism, isn't waiting with bated breath for the black and white Americans to turn on each other full force? Do you want a chance for life, liberty and the pursuit of happiness in the land of your birth, or do you want no chance at all under the Red heel?

NOT ONE SQUARE INCH

There are members of the black community who call for a separate nation within America. Well, I do not intend to give up one square inch of America. I'm not going to be told I must live in a restricted area. Isn't that what we've all been fighting to overcome? And then there is the element that calls for a return to Africa.

For my part, Africa is a great place to visit, but I wouldn't want to live there. If the Irishmen want to go back to the Emerald Isle, let them. If the Slavs want to return to the Iron Curtain area, OK by me. But I'm not going to go any part of Africa to live. I'm proud of ancestry, and of the country that spawned my forefathers, but I'm not giving up my country. I fought all my life to give my children what I'm able to give them today; a chance for development as citizens in the greatest country in the world.

I do not for a moment think that any truly responsible Negro wants anarchy. I don't think you'll find intelligent—no, let's rephrase that—mature Negroes running wild in the streets or sniping at total strangers. God made the white man as well as the black. True, we haven't acted as brothers in the past, but we are brothers. If we're to be so many Cains and Abels, that's our choice. We can't blame God for it.

Something must be done to reach the Negroes and the whites in the ghettos of this country, and I propose to do something.

ANY BOY CAN

As a matter of plain fact, I have been doing something for the past several years. I have been running a program which I call the ABC—Any Boy Can. By teaching our youth, black, white, yellow and red, what dignity is, what self respect is, what honor is, I have been able to obliterate juvenile delinquency in several areas.

I would now expand my program, change scope. If any boy can, surely any man can. I want to take teams of qualified people, top men in their fields, to the troubled areas of our cities. I know that the people who participated in the recent riots, who are participating and who will participate, are misguided rather than mad.

If some bigot can misguide, then I can guide. I've spent too much of my life building what I've got to put it to torch just to satisfy some ancient hatred of a man who beat my grandfather. Those men are long dead. Do we have to choke what could be a beautiful garden with weeds of hate? I say no! And I stand ready to start "Operation Gardener." I invite the respected Negro leaders of our country to join me.

THE U.S. SPACE PROGRAM

Mrs. SMITH. Mr. President, I have long held the opinion that a strong, viable national space program will provide substantial future benefits for the United States in terms of scientific advancement, application of industrial technology, and a strengthening of our national defense position. In the relatively short timespan of 10 years, the U.S. space program has produced many notable and exciting space achievements. These include effective meteorological weather forecasting, global communication satellites, and the ability to use complex computer systems to solve a variety of social and economic problems.

Although I have not altered my opinion wth respect to the importance of maintaining a strong space program, I have become concerned of late that our space science and technology efforts have suffered from a serious lack of centralized leadership within the administration. Leadership is needed to weigh and decide on the merits of proposed space projects; to coordinate program requirements and development efforts of civil and defense agencies; and to establish long-range national space goals and to seek the resources necessary to achieve them.

I believe that this failure to assert administrative responsibility has resulted in the costly and needless development of two families of launch vehicles—one for NASA and one for the Department of Defense. Currently, NASA and the Department of Defense are each separately undertaking manned space programs having similar, if not identical, basic objectives—to determine whether man can effectively operate in space.

The administration continues to profess the belief that a strong space program is required. Yet only recently, when the House Appropriations Committee significantly reduced the administration's own funding request for NASA, the President announced that he believed the cut was desirable.

I am mindful that some significant budgetary decisions must be made because of our commitments in Vietnam and social strife at home. But is the Congress to supply the initial decisionmaking power for the executive branch? Is so little consideration and concern given to determining the required resource level for space technology programs that across-the-board reductions recommended by a legislative committee can be accepted so lightly?

There are many of us who feel that science and technology may well be the key to our future existence—to the very survival of freedom in the world of tomorrow. In the past, I believe that the administration also held this to be true. However, the present lack of responsible action in regard to our space program leads me to wonder whether the administration plans and manages the future course for our country with any foresight or merely reacts to events with fear and trepidation.

The September issue of the Air Force Space Digest contains an excellent article entitled "Bringing the Space Program Down to Earth," written by Mr. William Leavitt. Mr. Leavitt, who is the magazine's senior editor for science and education, discusses with a great deal of insight and wisdom, the events and accomplishments of space science and technology over the past 10 years, some of the problems we face today, as well as what lies ahead for the future. I ask unanimous consent that the article be printed in the RECORD and recommend its reading to all Senators.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRINGING THE SPACE PROGRAM DOWN TO EARTH

(By William Leavitt)

Next month marks the tenth anniversary of the "Technological Pearl Harbor" that was Sputnik. Anniversaries are a traditional time for stocktaking, for recalling past glories, regretting past errors, and looking ahead with hope to the future.

Where have we been and what have we accomplished in space since those shattering days of national embarrassment, heated congressional investigations, editorial outcries, and universal recrimination, when the Russians seemed ten feet tall and storming at our technological gates?

We have traveled far and accomplished much, at great cost in time, talent, and money. We have demonstrated our national ability to get under way a large-scale space program, manned and unmanned. We have built, largely on the foundation of the military missile program, a huge government/industry complex, employing hundreds of thousands of people. In a decade this complex has not only built the hardware to orbit men and unmanned weather, communications, reconnaissance, and scientific-observation satellites, but has also brought us to the verge of man's first truly extraterrestrial exploration, a landing on the moon.

There can be little doubt that we have to a great degree redeemed our national pledge, secured with treasure and talent, to wipe out the mortification of Sputnik. No nation has accomplished so much in so short a time.

Yet, there is a growing sense of public disquiet about the whole affair. In the face of war in Southeast Asia, against the background of civil strife at home, and in the aftermath of the shocking Apollo disaster of January 1967, the faceless but vocal "man in the street" is expressing increasing doubts about the worth of the enormous investment that has gone into building the nation's space capability. This public mood finds expression in Congress. Critical and budget-minded legislators have hacked away at space funding, attacked the competence of space planners, and generally questioned the priority of the space program, a singular irony to those observers who can recall the days, not so very long ago, when space was a sacred cow on Capitol Hill.

Why the doubt? Why the collapse of enthusiasm? No one can say for sure, but it is not enough to suggest merely that the public is so fickle that it cannot sustain support for what continues to be an important endeavor with major implications for the whole of mankind. Nor is it enough to say that people are too worried about Vietnam and Detroit to care anymore about our space effort.

There is something deeper, and it has to do with how the U.S. space program has from the start been presented to the American people—as a giant and continuing spectacular, rather than as an effort worthy of standing on its own merits as a three-pronged endeavor serving the national security in a troubled world, the national economy in an increasingly technological era, and world science in a time when men, as never before, are searching the unknown for ultimate answers to questions involving the very nature and origin of life and of our planet and universe. These are the ideas and concepts that should be permeating the public mind, that should be taught in the public schools, not only in the affluent sub-

urbs but also in the ghettoes, and should fill the air on radio and television.

In the large, we have failed to make this presentation, and as a consequence we face the irony of great achievement in space that is poorly understood and weakly supported by the very public that has to pay the bills and stands to benefit so importantly—whether from employment, enhanced national security, improved weather forecasting and communications, or last, but not necessarily least, a deeper understanding of the universe we live in.

This failure has its roots in our own national misconceptions about technology itself.

For too long, we have viewed technology as a kind of shortcut to material achievement, almost as an end in itself, and with scarcely any attention at all to the range of complex side effects, positive and negative, that technology leaves in its wake. Up to a point this approach has been fruitful and has most certainly contributed to our position as the most powerful and affluent power on earth. But it is a view which no longer warrants, in itself, great investments of money and time and people. Every important technological investment, whether it be to build massive road networks or school buildings or ships to the moon, has enormous social and economic implications for virtually every member of society, implications that need to be examined and sorted out in advance. Somehow, this obvious truth continues to elude us. We continue to operate on a business-as-usual basis, using the ancient tools of salesmanship and hoopla to push forward, when the time seems ripe and the short-run benefits in clear sight, programs that ought to be examined in long-range terms and in relation to each other.

Which brings us back to the space program and why it presently lives in daily fiscal peril and in a shadow of public disenchantment. The tragedy is that the drumbeat of press-agentry that accompanied the opening of the American space show after Sputnik has never quite been replaced, as it should have been, by thoughtful exposition of the intrinsic worthwhileness of space technology as a broad-fronted national advance.

From the start, we have been caught up with slogans: "space for peace" . . . "man in space" . . . "national prestige" . . . "the American image abroad" . . . and all the rest. Our space planners have had to operate in a goldfish bowl of extravagant publicity, and for the most part, the glamorous aspects of the space program have been advanced and funded at the expense of the more important, socially useful, portions of the program. With all due respect to the courage of the astronauts, we have overly concentrated on their exploits and undervalued the duller and more esoteric unmanned working satellites which in the long run may do much more to help solve earthbound problems, ranging from air pollution to strategic reconnaissance and control of the arms race, than any grand manned rendezvous in the sky.

The space program has finally begun to pay the price for the frothiness of its publicity. Adult Americans not associated economically or emotionally with the space program have adopted attitudes about the program ranging from boredom to irritation. They find the space program somehow irrelevant to their daily lives, and in some cases even consider it an unnecessary and cruel drain on resources that they believe might be better devoted to social and economic enterprises closer to their daily lives.

More and more people, and they are not all in the slums, have this attitude toward the space program. The sum of their indifference and anger is enough to create serious damage not only to the program itself but also to the benefits that they and the rest of the public could derive from the program.

But is the space program irrelevant to societal advance, and if it is not, how can those who do believe in it help restore its public acceptance?

That the program *is* relevant—witness enormous contributions to mundane problems that have already been made by the weather satellites and the rest—should be clear. And those have not been the only positive effects. Even more important is the fact that we can credit the space revolution with helping set off the salutary examination of the quality of American education, a critique that started in the affluent suburbs and has now spread to the poverty-stricken inner cities. Families everywhere in America, using different battle cries, are saying the same thing: that they want their children to be prepared for useful lives and intellectual expansion in a space-age world.

How to restore public confidence and acceptance of the space program is the dilemma. In the face of the headlines that crowd space off the front pages, even getting the attention of the public becomes a formidable task. Yet the job has to be accomplished if the space program is to survive as something beyond grudging fulfillment of a pledge made by a remembered President to land an American on the moon by the end of the current decade.

It is possible to make some suggestions as to how the problem might be attacked. With the wisdom of hindsight, we can at least be sure of what we ought not to do. We can scrap the Madison Avenue approach, and we can think of planning our future space program in ways that do not put the cart before the horse, a sad example being the decision of 1961 to concentrate heavily on a moon landing in advance of development of long-term, manned orbital capabilities for scientific and military purposes.

We can husband our resources by looking carefully at the question of whether we need two expensive and competitive manned orbital laboratories, one run by the National Aeronautics and Space Administration and one run for the Defense Department by the Air force.

We can increase the funding and sharpen the planning of the unmanned working satellites that have only begun to revolutionize communications, weather observation, and scientific observation. We can begin to look seriously at the potential of aerospace systems analysis and engineering in the solution of nonspace and nonmilitary public problems, with an emphasis on building into these techniques the social, economic, and political factors, the flesh-and-blood considerations that were not so relevant when the problem was merely to develop working ballistic missiles or the first manned and unmanned spacecraft. And we can begin to put to work in our schools, suburban and urban, many of the space-age training techniques that have been a beneficial by-product of the technological age we live in.

All of these approaches—and they are but a sampling—suggest a basic reevaluation of the true value of space technology to our society and a new approach to communicating this worth to society—all of society. Space technology has already cost too much in time and treasure to go down the drain now as a TV spectacular that has slipped in its ratings. We can excuse the past and its errors on the grounds of inexperience, but now that a decade has passed and a history of great achievement has been written, we will have only ourselves to blame if the chapters yet to be recorded are scrubby and thin.

Space technology is remote in many ways from man's daily experience. Yet, at the same time, it is closer to his soul and mind than any other human venture. In that it involves man's emancipation from the bounds of earth, in that it has allowed him through the eyes of cameras and the reports of astronauts to look back upon his own world, it advances our understanding of our commonality as travelers together on this spaceship, Earth. In that it has provided new ways to communicate, to foresee natural disaster, to watch from space potential aggressors, it has made life a little safer than it was before. These are only beginnings, the products, for the most part, of even less than a decade. The world will never be the same again. And it could even be better, if the knowledge and new in-sights that emerge from space technology can steadily be put to work for the public benefit. These are not benefits that should be packaged and sold like so much soap.

All this is not to suggest that space technology needs to or deserves to be advanced at the expense of other necessary programs. It is rather to suggest that space technology should be acknowledged and defended as a continuing, worthwhile, and socially useful national endeavor, justifiable in terms of its enhancement of man's knowledge, its expansion of his outlook, and its demonstrable improvement of his daily life.

In many ways space technology, as we have practiced it in the past decade, represents the best and the worst of the American style. It has grown like Topsy, and an incredible collection of feats previously undreamed of have been achieved. At the same time, there have been false starts, wasted motion, wrong emphases, too much of the wrong kind of publicity, and not enough attention to the long-range goal of well-founded public understanding of the potential for human betterment through space technology and its allied arts.

Yet, in the main, the effort has been worthwhile and will be even more so. There is more than a passing connection between the earthbound problems of war and peace, progress and poverty, and the achievements of space technology. As Dr. Charles Frankel, the Columbia University philosopher who is now a State Department official, has remarked: ". . . It is a grave mistake to dismiss science as useless in solving moral and political problems. Objective knowledge of the conditions and consequences of our personal desires or our social institutions does help us to realize the actual nature of the ends we choose to pursue; and in this way we can frequently come to choose our ends and ideals more intelligently. . . . One can . . . take an apocalyptic attitude and assume that the unfamiliar world that is emerging is also going to be unrecognizable, whether for the better or for the worse. But human traits like envy, malice, and egotism are likely to remain no matter what moral medicines the druggist of the future has on his shelves. And once the initial thrill wears off, most honeymooners are probably going to prefer the moon overhead rather than underfoot. But if utopia is not around the corner, neither is it inevitable that our powers are unequal to the problems that are appearing. In an age whose problems are almost all signs of mounting human powers, this would be a strange moral to draw. Man is now making his own stars and setting his own impress on the solar system. If these stars are as yet minuscule and only a very little way out in space, they still represent something of an achievement for a creature who is built rather close to the ground."

BILINGUAL EDUCATION ENDORSED BY TEXAS CONVENTION OF THE POLITICAL ASSOCIATION OF SPANISH-SPEAKING ORGANIZATIONS

Mr. YARBOROUGH. Mr. President, at its State convention held on August 11, 12, and 13, 1967, in Austin, Tex., the

Political Association of Spanish-Speaking Organizations, better known as PASO, passed a resolution endorsing bilingual education for Spanish-speaking children.

PASO has long been active in the causes of justice for the Spanish-speaking Americans of the Nation, and it is significant that they lend their support to the cause of bilingual education. The Spanish-speaking children of the Nation are one of our most discriminated-against groups because they are thrust into a learning situation without the benefit of a familiar language and are forced to reject their mother tongue.

To illustrate the strong endorsement of PASO at the Texas State convention, I ask unanimous consent that the resolution which was passed be printed in the RECORD.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION 6 OF THE POLITICAL ASSOCIATION OF SPANISH-SPEAKING ORGANIZATIONS

Whereas, the vast majority of Spanish-speaking children have thus far been commonly deficient in their mastery of the English language, and

Whereas, in the past it has been the common practice to attempt to teach Spanish-speaking children through English alone, which practice inevitably leads to retardation in acquiring the content of education, and

Whereas, educational research studies have demonstrated that it is feasible to teach Spanish-speaking children in their mother tongue while they are mastering English as a second language, and

Whereas, the use of Spanish as a medium of instruction to present the curriculum will forestall retardation, facilitate a stronger home-school relationship, and improve the child's self-concept, therefore,

Be it resolved, that this Convention endorse a policy of bilingual education in which the school will use both Spanish and English as a medium for presenting the school curriculum. Further, that initial school learning should be conducted in Spanish, with English being taught as a second language until sufficient mastery is acquired for using English as a teaching medium for the entire curriculum, reinforcing all that is learned through Spanish, and finally, that in the said bilingual education process positive care should be exercised, as much as feasible, in order to avoid defacto segregation of children, and that sight shall not be lost of the fact that mastery of the English language should be considered primary.

DEFENSE SPENDING: BEFORE AND SINCE VIETNAM

Mr. COOPER. Mr. President, the monthly bank letter published by the Morgan Guaranty Bank of New York for August contains an interesting article entitled "Defense Spending: Before and Since Vietnam."

The article presents a thoughtful analysis of the increased costs in our defense budget and useful comparisons with the defense budget during the Korean war. It also analyzes defense spending by such categories as personnel, operations, maintenance, and procurement, and the changes in the types of procurement presently sought by the Department of Defense.

I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DEFENSE SPENDING: BEFORE AND SINCE VIETNAM

This summer marks the second anniversary of this country's decision to enlarge substantially the scope of its commitment in Viet Nam. Initially, of course, no one could possibly have foreseen the consequences which that step would have in reshaping this nation's defense budget. Even now it is a bit difficult to realize the full extent of the change that has been effected in the past two years.

In fiscal 1965, the last year that U.S. military personnel served primarily as "advisers" to Saigon's army, U.S. military expenditures attributable to Viet Nam amounted to only $103 million. This was less than one-quarter of 1% of that year's $47.4-billion defense budget. With the substantial increase in troop commitment, however, and with the progressive escalation of both ground and air warfare, budget figures indicate that "special Viet Nam" expenditures rose to almost $6 billion in fiscal 1966, and then climbed to more than $19 billion in fiscal 1967.* This was equivalent to roughly 28% of last year's estimated $68-billion military budget.

Before President Johnson announced his intention early this month to authorize an increase of "at least 45,000 in the number of men to be sent to Viet Nam this fiscal year," Viet Nam expenditures were projected by the Administration to rise to $22 billion in fiscal 1968. This would have represented about 30% of the $73-billion defense total projected in last January's budget. In his tax message of August 3, however, the President observed that the "costs of conflict can never be precisely estimated nor fully foreseen," and added: "Thus, the possibility remains that defense spending in fiscal 1968, based on present plans, may exceed the January budget by up to $4 billion." This suggests that U.S. expenditures on the Viet Nam war could rise to $26 billion in fiscal 1968, with the total defense budget climbing to the vicinity of $77 billion.

Altogether, then, the cost of U.S. involvement in Viet Nam amounted to more than $25 billion in the three fiscal years 1965, 1966, and 1967, and by the end of the present fiscal year the cumulative figure is likely to have risen above the $50-billion mark. These official estimates, however, are thought by some close students of Viet Nam costs to be on the low side. The Joint Economic Committee, for instance, following hearings last spring on the "Economic Effect of Viet Nam Spending," stated in a report issued in July:

"It is probable that actual expenditures for the Viet Nam war exceed the official figures by an appreciable margin. The Department of Defense has conceded that it is somewhat unrealistic to establish a definitive distinction between Viet Nam outlays and other defense disbursements . . . While the absence of any better guidelines makes it necessary to use these figures, it should be realized that the full effect is probably greater than they indicate."

While the U.S. public now seems sensitively mindful of just how much Viet Nam is costing, this was not so for a considerable period after escalation first began. One reason for the early unawareness was the unavailability throughout most of last year of satisfactory estimates for the defense budget. In January 1966, President Johnson asked Congress to act on budget estimates for fiscal 1967 that were based on the assumption that combat operations would continue only to June 30, 1967, the end of the fiscal year. This assumption was acknowledged to be arbitrary but—in the absence of certain knowledge as to the war's duration—was adopted for planning purposes. "If it later appears that the conflict will continue beyond that date," Secretary McNamara stated, "or if it should expand beyond the level assumed in our present plans, we will come back to the Congress with an additional FY 1967 request." Although the flow of news from battle zones soon made it apparent that an additional request would in fact be necessary, the Administration did not formally revise its fiscal 1967 budget estimates for defense until December of 1966—a delay that many critics scored as unnecessarily long. In a document issued last month, which reviewed what happened, the Joint Economic Committee, echoing considerable sentiment in Congress and elsewhere, sharply criticized the delay in revision, terming it "promulgation after the fact" and protesting that the $10-billion underestimate of 1967 military costs of Viet Nam had a "disruptive effect on the conduct of fiscal and monetary policy."

THE CHANGING DEFENSE BUDGET

[Fiscal years; dollar amounts in millions]

	1965	1966	1967 [1]	Dollar change, 1965 to 1967	Percent change, 1965 to 1967
Total U.S. military budget	$47,402	$55,377	$68,420	$21,018	44.3
Military personnel	14,771	16,753	19,660	4,889	33.1
Operation and maintenance	12,349	14,710	18,892	6,543	53.0
Procurement	11,839	14,339	19,065	7,226	61.0
Research and development	6,236	6,259	7,171	935	15.0
Other [2]	2,207	3,316	3,632	1,425	64.6
Special Vietnam costs	103	5,812	[3] 19,419	19,316	----------

[1] Preliminary estimates of Department of Defense.
[2] Includes military construction, family housing, civil defense, revolving and management funds, and military assistance.
[3] From January 1967 budget.

Source: Department of Defense; U.S. budget documents.

THE SUM AND ITS PARTS

The remarkable transformation of the U.S. defense budget that has occurred since this country enlarged its commitment in Viet Nam is summarized in the table on page 6. The top line reveals the unfolding of aggregate military spending (affected, of course, by a variety of influences other than those relating to Viet Nam); the lines below it show movements in major components of military expenditure. The figures used for 1967 are the Defense Department's most recent (but still preliminary) estimates of actual spending.

It can be seen that aggregate military spending ran $21 billion, or 44%, higher in fiscal 1967 than it did in fiscal 1965, the last year in which Viet Nam was only a minor influence. This rise is appreciably smaller, both absolutely and in percentage terms, than the climb recorded during the first two years of the Korean War. In view, however, of the

* The $19-billion estimate is taken from last January's budget document. It can be presumed that special Viet Nam costs in fiscal 1967 exceeded this level, but no official re-estimate has as yet been published.

very different states of military readiness that prevailed immediately before the two episodes flared up, that fact alone is not particularly surprising. Whereas the U.S. had relatively limited fighting capabilities prior to the outbreak of the Korean War, and from what amounted to only a skeleton base, that was scarcely the case two years ago. Instead, a streamlined military establishment was already in being two summers ago, and inevitably, therefore, the add-on necessitated by actual conflict was not as big. Viewed in perspective, however, it constitutes a very substantial climb. One measure of the rise is the sizable impact it has had on gross national product. Between the second quarter of 1966 and the second quarter of 1967, increased military purchases of goods and services accounted for almost two-fifths of the advance recorded in GNP.

The climb in U.S. defense spending since fiscal 1965 has not been spread uniformly through all sectors of the defense budget. Noticeable shifts have occurred in the mix of expenditures for military personnel, operation and maintenance, and procurement—the three categories that make up the bulk of the Defense Department's military budget. Within the latter category, moreover, patterns also have shifted perceptibly to more emphasis recently than before escalation on procurement of conventional hardware.

Not surprisingly, higher expenditures on military personnel account for a major part of the rise that has occurred in the defense budget during the past two years. Expenditures assigned to this category include, principally, pay and allowances, the cost of food and clothing, and the travel costs associated with permanent change of station—e.g., the costs of transporting men overseas. With the number of men on active duty having risen from 2.7 million at the end of fiscal 1965 to about 3.4 million at the end of fiscal 1967, the Defense Department necessarily has increased its spending on many of these items. For instance, it bought 1.2 million pair of military dress shoes in 1965 and 4.3 million pairs in 1967, or 260% more; it bought 325 million pounds of beef in 1965 and 421 million pounds in 1967, or some 29% more.

The total cost of paying, feeding, clothing, and transporting this enlarged complement of military personnel thus came to almost $20 billion in fiscal 1967, compared with less than $15 billion in 1965, a rise of 33%. Significantly, sharp though the rise in personnel costs has been, it has not been as pronounced in percentage terms as the increase in over-all military expenditures. Whereas expenditures for military personnel constituted 31.2% of the total military budget in fiscal 1965, the share was down to 28.7% in fiscal 1967.

Spending for operation and maintenance, by contrast, has risen more steeply than total military expenditure—or by 53%—in the past two years. This broad category includes most of the day-to-day expenses of operating military facilities both in the United States and abroad that are not assigned by the Defense Department to other categories. It covers, for example, outlays for recruitments and training of military personnel and their medical care, operation of supply depots, many repairs and much of the fuel for aircraft, ships, and tanks, and pay of the majority of the Department's civilian employees. (Civilian employees actually are paid out of several of the Department's account categories. For instance, payment to scientists and engineers working in certain laboratories is made from the research-and-development account, while payment to civilians working in National Guard armories is charged to military personnel. Similarly, some other items listed above also are spread over other accounts. Fuel used in aircraft test programs, for instance, is charged to the research-and-development category rather than to operation and maintenance.)

Escalation in Viet Nam, of course, has entailed increased spending on these items. As an instance, the Defense Department increased the number of civilians on its payroll by 19% between June 30, 1965 and June 30 1967. And it bought 32% more barrels of one grade of jet fuel in 1967 than in 1965. The increased costs of operation and maintenance all have combined to raise this category's share of aggregate military spending from 26.1% in 1965 to 27.6% in 1967.

Of all the changes in the pattern of military spending caused by Viet Nam, the greatest has been in costs associated with procurement. Chiefly, this category of expenditure covers the acquisition of military hardware, embracing everything from aircraft, missiles, and ships to combat vehicles, small arms, and munitions. With the stepping-up of U.S. participation in active combat in Viet Nam, increased spending on weapons of war followed inevitably. Procurement spending, in fact, climbed far more sharply between fiscal 1965 and fiscal 1967—by 61%—than spending on the other major categories in the defense budget, emphasizing that U.S. military operations in Viet Nam are designed to use equipment and weaponry to the maximum so as to lessen personal casualties. Increased procurement outlays accounted for approximately a third of the rise that occurred in total defense spending during the two-year period.

Within the procurement category, a pronounced shift has occurred in the types of weapons that are bought. The shift has been away from emphasis on acquiring sophisticated deterrents to global war and toward acquiring the conventional apparatus of limited combat. Spending on missile systems, for example, has declined significantly both in dollars and, as the chart on page 8 illustrates, as a proportion of total procurement. In contrast, spending on conventional weapons has risen substantially. Through the first eleven months of fiscal 1967, expenditures for ordnance, vehicles, and related equipment amounted to $3.5 billion, compared with only $1.3 billion in the full 1965 fiscal year. At this increased level, such spending constituted 20% of total procurement, compared with 11% in the full 1965 fiscal year. Outlays for aircraft also have shown a marked rise absolutely, particularly for fighters, helicopters, and other tactical planes. The proportion of aircraft procurement to total procurement, however, has not changed significantly.

Besides summarizing military spending by such categories as personnel, operation and maintenance, and procurement, the Defense Department also tabulates expenditures according to the "program" to which they are devoted. The program concept reflects the grouping of all forces on the basis of the major military mission they perform, regardless of the military service to which they belong. The most interesting feature of this kind of presentation is that it dramatically confirms the shift in military spending toward greater emphasis on strengthening the country's capabilities for waging conventional warfare. Whereas expenditures on strategic forces (whose principal mission is to deter military aggression) were no higher in fiscal 1967 than two years earlier, spending on general purpose forces (equipped chiefly for conventional combat) has risen steeply. The latter rose from $19.1 billion in fiscal 1965 to an estimated $34.3 billion in fiscal 1967, or by about 80%. At this higher level, spending on general purposes forces accounted for 50% of the total defense budget, compared with 40% in 1965. The share of total military outlays devoted to strategic forces fell during this time span from 15% to 10%.

THINKING AHEAD

The various changes that have occurred in the size and make-up of the country's military budget since escalation began in Viet Nam have been felt in thousands of firms and communities across the continent. Military prime contracts have been awarded increasingly to mechanical and soft-goods industries, while aerospace and electronic industries have received a declining share of orders.

Complete data on contract placements are not yet available for fiscal 1967, but the pattern that has been emerging is discernible in earlier figures. Between fiscal 1965 and fiscal 1966, the sharpest increases in order placements occurred in ammunition (up almost 270%), textiles and clothing (up more than 240%), vehicles (up more than 80%), weapons (up almost 70%), and food (up 60%). By contrast, the dollar total of military contracts placed for missile and space systems declined slightly between the two periods. Thus many of the older industrial communities in the East and Midwest, long bases of traditional industries, have felt a renewed upsurge of military orders. Conversely, parts of the West Coast which have attracted the newer aerospace and electronics enterprises have seen military contracts decline relatively, even though their contract totals remain large in absolute terms.

Reorientation of defense spending toward traditional industries has had the further significant consequence of de-emphasizing the relative importance of large firms in the nation's defensive effort. Missile systems, of course, can be supplied only by a few very large firms, whereas the boots and grenades of Viet Nam are being supplied by a substantial number of smaller companies.

The very fact that the stepped-up involvement of the United States in Viet Nam has been reflected in this greater diffusion of defense orders reinforces the need for thought to be given to the public and private steps that will have to be taken at the time de-escalation occurs. However distant that time may now appear, advance planning not only on the part of the federal government but also by numerous companies and communities is essential in order to assure an orderly transition from defense work to peacetime production in the private sector, where the principal tasks of conversion will fall. It is to be hoped, therefore, that the analysis of the problems of de-escalation and transition that now is being prepared by the Administration will stimulate widespread study and consideration of the actions that individual firms and communities can take in the event that their defense orders are cut back.

HIGHWAY MURDER

Mr. HARTKE. Mr. President, I have repeatedly spoken out against the slaughter of Americans on the Nation's highways. If an American city of over 50,000 people were to be wiped out, it would be a disaster which would make headlines all over the world. Over 50,000 Americans will die on our highways this year. This coming Labor Day weekend will conclude with a statistic that hundreds have been killed in traffic accidents. Yet there is apathetic response and a lack of action.

Mr. Joseph Kelner, a past president of the American Trial Lawyers' Association, calls these traffic deaths "highway murder." Because lack of attention and action means the unnecessary taking of human life, "murder" is not too strong a word.

To keep us alert to the problem of traffic deaths and to encourage better standards and regulations for highway safety, I ask unanimous consent to have

Mr. Kelner's article from the New Republic of September 2, 1967, printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HIGHWAY MURDER

Fifty-three thousand Americans will die on our highways this year. Their deaths will not be accidental, but caused by recklessness. The auto makers think they are the whipping boy of the highway accident problem and they are partly right. They brought federal regulation on their own heads by their procrastination, but the apathy of the auto industry is shared by every segment of our society.

Our psychology is that the serious injury, the "bad one," always happens to the other guy. We lawyers handle human wreckage—the man whose leg is cut off by a speeding car, the woman who is decapitated. Most of us believe it never can happen to us.

Travel by automobile is the most dangerous. For every 10 billion miles of travel, five train passengers die, 13 bus passengers die, 14 airplane passengers die, but by automobile there are 570 fatalities for the same number of miles of travel. The federal government requires periodic examinations and strict licensing standards for airplane pilots, but automobile drivers have a field day. I strongly disagree with Ralph Nader and others who seem to think the safety automobile will greatly reduce the annual toll of highway deaths. The safety automobile, when it comes, will hardly make a noticeable dent on the death and injury statistics for another 10 years. Ninety-five million autos now crowd our highways and over nine million new autos are produced annually. Autos now in use will take at least 10 years to wear out and be replaced. Deaths are likely to reach 100,000 annually by 1977.

Perhaps 90 percent of all deaths and injuries can be blamed on the American driver. With our population nearing 200 million, and three-car families becoming commonplace, it is time to set proper standards for our 130 million drivers, many of whom not only drive while drunk or nearly so, but speed, tailgate, bob and weave in traffic, fall asleep at the wheel, fail to use seat belts or to insist that passengers use seat belts, fail to drive defensively, jump traffic signs and traffic lights, fail to yield the right of way, ignore the other fellow's rights.

To compound the problem, we allow every Tom, Dick and Harry to drive. Dr. F. H. Mayfield, Cincinnati neurosurgeon, estimates that more than six million of the country's drivers are subject to convulsive diseases. How many of our millions of older citizens have lost their reflexes, their ability to react to highway traffic emergencies? How many of our millions of persons with defective eyesight still have licenses to drive? In most states the only vision test ever given is when the driver's license is first granted. Human vision is presumed never to deteriorate with the passing years.

In Pennsylvania, a motorist was killed when he crashed into a tree. He was totally blind. An eight-year-old boy beside him directed his driving. In Florida, a highway patrolman stopped a man who was traveling 26 mph down the middle lane of a highway with a posted minimum speed of 40. The driver admitted his eyesight was too poor to read the signs. He could see where he was going only by looking down to watch the dividing line.

In 30 states licenses are renewed by mail—a lucrative mail-order business.

About half of all auto fatalities are caused by drinking drivers. In most states intoxication is presumed shown by a percentage of 0.15 alcohol in the blood. North Dakota is the one state in which 0.10 percent is presumptive evidence of intoxication. Drinker-drivers with blood-alcohol levels between 0.5 and 0.15 percent are the bulk of the problem; the extremely intoxicated driver, as a rule, is taken off the road either by himself, his friends, or the police. The drinking-driver does not recognize that his judgment, reflexes and vision have been impaired.

Among other things, we should:

Drop the permissible blood-alcohol rate for driving to .05 percent in every state. (No more than one drink for the average drinker.)

Adopt "implied consent laws" in every state. Under these, a driver's license is automatically revoked if he refuses to submit to chemical tests when arrested on a drunken driving charge.

Today, our 50 states present a spectacle of chaos, with laxity and no uniformity in licensing of drivers. Congress should enact legislation requiring every driver crossing a state line to obtain a license from a Federal Bureau of Drivers' Licenses, under the newly created Federal Department of Transportation. The system of licensing would require written certification by a licensed physician that a driver—

(1) has minimum prescribed visual capacities;

(2) does not have specified physical ailments such as epilepsy, diabetes, palsy or other disorders which make his driving hazardous;

(3) can respond with reasonable alacrity to highway emergencies under modern high-speed highway conditions;

(4) is free from prescribed mental and personality aberrations resulting from designated mental diseases and disabilities;

(5) is certified by his physician not to be a chronic alcoholic, or dependent on or addicted to tranquilizers, narcotics or drugs.

New physical and eye examinations and doctor's certification would be needed for license renewal.

FAIR HOUSING AND THE LOCATION OF JOBS

Mr. MONDALE. Mr. President, one of the most disturbing results of racial discrimination in housing is the loss of job opportunities for minorities. For a variety of reasons, many industries have been moving from the central city to the suburbs in the last decade. These are the industries that hire the unskilled or the semiskilled.

These industries offer great opportunities for the unemployed or the underemployed in the center city, but the jobs are out of the reach of the center city poor. The poor cannot find the transportation to the jobs nor can they find homes in the neighborhood of the new jobs.

Mr. President, this problem was pointed up at the hearings on the fair housing bill yesterday when Mr. Roy Wilkins, of the National Association for the Advancement of Colored People, testified. He stated that during a recent trip to Detroit he talked to a Negro auto worker who told him that his plant had moved 20 miles away from Detroit and that he and his Negro coworkers were forced to commute over 40 miles a day to their jobs. The white workers, however, were able to purchase homes near the plant.

Inequality is the only way to describe this situation. The whites are allowed complete freedom of choice as to where they wish to reside and are, therefore, free to apply for any job for which they are qualified. The Negro, on the other hand, must look for jobs only in certain areas, or be ready to commute many miles, if needed transportation is not available.

Mr. President, this is a problem that is becoming more and more serious. The jobs are leaving the cities. This trend will be difficult to overcome. An article by Dorothy Newman in the May 1967 issue of the Monthly Labor Review, documents the extent of this move. More than 62 percent of the valuation of all new industrial building permits in the period between 1960 and 1965 was outside the central city.

The article ends on what I consider a tragic note. Dorothy Newman points out that there are jobs in the suburbs, but these jobs are often unaccessible to the Negro. The result is that the unused skill potential in the center city is not transferred to meet the opportunities of the suburbs.

This is a situation that the Federal housing law could help to correct. It would permit the minority group member to seek employment where there are opportunities and then obtain living quarters near the job. Without fair housing the situation will only get worse: more and more jobs in the suburbs, and more and more unemployed in the ghetto.

Mr. President, I request unanimous consent that the article by Dorothy Newman be printed in the RECORD to document the seriousness of this situation.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE DECENTRALIZATION OF JOBS—JOB OPPORTUNITIES MULTIPLY IN THE SUBURBS, OUT OF REACH OF THE CITY-CENTER POOR

(By Dorothy K. Newman)

The unemployment rate has remained below 4 percent for almost a year now—for the first time in over a decade. Nevertheless, 3 million or so persons are unemployed, plus an uncounted number underemployed, in terms of capacity for more or higher level work. At the same time, many jobs are vacant; these vacancies exist along the full range of skills, but especially at the upper and lower ends of the occupational ladder.[1] Thus it appears that matching jobs with workers is one of the more intractable problems in the present economy.

One of the prime causes of this failure to match available jobs with available personnel is the movement of new jobs into the suburbs[2] and out of large central cities. It is in these cities that unemployment, underemployment, and poverty are greatest.[3]

NEW BUSINESS BUILDINGS

The steady trend of this movement is illustrated by the concentration of new factory and commercial buildings in the ring of metropolitan areas rather than in the central city, as evidenced by data on the value of building permits issued, both recently (1960–65) and since 1954.[4] (See table 1.) In the same periods, also, a relatively large proportion of community buildings, such as schools and hospitals, has been constructed in the suburbs instead of the city. These buildings represent a large capital investment, leading to substantial increases in suburban employment, especially in industry, retail and wholesale trade, and business, professional, and technical services. Many of the jobs created are within the capabilities of the people who need employment opportunities, but most of the new jobs are too distant and difficult to reach.

Footnotes at end of article.

TABLE 1.—PERCENT OF NEW PRIVATE NONRESIDENTIAL BUILDING OUTSIDE THE CENTRAL CITIES OF STANDARD METROPOLITAN STATISTICAL AREAS (SMSA's), BY REGION, 1960–65 AND 1954–65[1]

Type of new nonresidential building	Percent of valuation of permits authorized for new nonresidential building				
	United States	Northeast	North Central	South[2]	West[2]
	1960–65				
All types[3]	47	53	49	34	53
Business	47	54	47	33	52
Industrial	62	71	59	46	69
Stores and other mercantile buildings	52	68	57	34	56
Office buildings	27	26	30	22	32
Gasoline and service stations	51	61	52	39	57
Community	45	47	47	33	53
Educational	45	47	46	34	50
Hospital and institutional	35	35	36	20	48
Religious	55	66	57	42	60
Amusement	47	41	60	46	45

Type of new nonresidential building	Percent of valuation of permits authorized for new nonresidential building				
	United States	Northeast	North Central	South[2]	West[2]
	1954–65[4]				
All types[3]	49	55	51	34	55
Business	46	56	50	33	50
Industrial	63	73	59	47	72
Stores and other mercantile buildings	53	69	55	33	58
Office buildings	27	25	31	20	32
Gasoline and service stations	53	66	54	40	59
Community	45	52	50	33	57
Educational	50	53	54	36	58
Hospital and institutional	36	38	36	21	50
Religious	54	67	55	39	62
Amusement	48	48	51	41	50

[1] Data for groups of years are used to avoid erroneous impressions from erratic year-to-year movements in building construction.
[2] Data for southern and western SMSA's reflect a more significant degree of annexation and area redefinition and are therefore less reliable than figures for other regions.
[3] Includes types not shown separately and excludes major additions and alterations for which type of building is not known.
[4] Excludes data for 1959, for which comparable information is not available.

Source: Unpublished data of the Bureau of the Census, tabulated at the request of the Bureau of Labor Statistics. Based on a sample of over 3,000 permit-issuing places.

The trend to place new structures in the suburbs—particularly those devoted to factories and trade, and, to a smaller extent, to schools and hospitals—is especially marked in the North, where central cities of the largest SMSA's tend to be old and the flight of population to the suburbs has been going on for many years. Northern cities are frequently handicapped by narrow streets, oneway traffic patterns, obsolescent structures, and rapidly changing neighborhoods. A metropolitan-area view of city planning is only beginning, that might, in the future, accommodate city industrial parks and shopping centers. At the same time, large cities are the locus of the largest and oldest urban slums, and the magnet of most Negroes migrating from the South to seek jobs and improved living conditions.[5]

The ring is not as likely to be the location of new office or amusement buildings as the central city, which is usually considered the hub of business services and finance, as well as of the arts and other entertainment. However, in a number of the 14 areas selected for study,[6] these new structures (in addition to new business buildings) were concentrated outside the city proper either in the past 5 years or during the past decade. (See table 2.)

In 10 of the 14 metropolitan areas (Boston, Chicago, Cleveland, Dayton, Detroit, Indianapolis, Philadelphia, St. Louis, San Francisco, and Washington), more than half the permit valuation for new amusement buildings in 1960–65 was for construction outside of the central city. In 6 of the 14 SMSA's (Boston, Chicago, Dayton, Detroit, Philadelphia, and Washington), more than half the value of new office buildings in 1960–65 went to the ring. The average permit value of new office and amusement buildings (as of most new building) is lower outside than inside the central city, where construction costs tend to be higher. Therefore, the higher ratio of outside to inside central city building shown in tables 1 and 2 involves either more or larger buildings in the ring, and, consequently, even greater job opportunities than the permit value of new building construction itself would indicate.

TRADE AND EMPLOYMENT

This substantial outmigration of facilities precedes and also mirrors the huge increase of business and employment in the ring, where population growth is greatest also.

Department store sales, for example, have risen much more in the outskirts of major metropolitan areas than in their central cities. Payroll employment[7] has soared in the suburbs compared with the SMSA as a whole (and, therefore, compared with the central city) in virtually all the SMSA's studied for which estimates of change could be obtained. (See table 3.) For example, from 1950–65, total payroll employment increased more than 40 percent in the Washington, D.C., suburbs and in those of New Orleans, Atlanta, and Detroit, while the increase in the total SMSA in each of these places was substantially less than 40 percent.

The differences in employment change between city and suburbs are pronounced—and consistently greater in the ring—in manufacturing, wholesale and retail trade, and services.[8] These industries account for 2 of 3 employees on nonagricultural payrolls. Their employees are concentrated in clerical and sales work, in skilled and semi-skilled industrial production, and as service workers outside of private households. In 1964, over 3 of 5 of all heads of families in central cities were in such occupations.[9] It is likely, therefore, that many central-city residents might qualify for new openings in the suburbs. Early in 1967, about 60 percent of those unemployed 15 weeks or more were last employed in such jobs.

Despite the sharp employment increase in the ring, most payroll employment remains in the central city in all of the SMSA's studied, except Boston and San Francisco-Oakland. In every case, however, the proportion of employment in the ring has risen, and in most instances, substantially, as the following tabulation indicates:

Standard metropolitan statistical area	Percent of payroll employment outside the city-county[1]	
	1959	1965
Total of 12 SMSA's[2]	23	27
Atlanta	11	13
Boston	59	61
Chicago	10	12
Cleveland	6	7
Dayton	14	14
Detroit	20	26
Indianapolis	9	10
New Orleans	18	22
New York	15	19
Philadelphia	40	45
San Francisco	53	57
Washington	38	46

[1] Excludes Government workers and the self-employed. For definition of central city, see table 3, footnote 1.
[2] Excludes Los Angeles and St. Louis.

Source: County Business Patterns (U.S. Bureau of the Census, 1959 and 1965.)

RESIDENTS OF THE CENTRAL CITY

In 1964, of all the working age people in SMSA's who were poor (according to the Social Security Administration Index), half the whites and 80 percent of the nonwhites lived in the central cities.[10] And for every major industry and occupational group, whether involving relatively low-paid business repair services or higher paid professions, median family income in 1964 was lower among city than suburban residents.[11]

The incidence of unemployment and poverty in central cities is greatest among Negroes.[12]

In 1964 (the latest year for which such figures are available), the median income of all nonwhite households in the central cities of SMSA's was $3,656 compared with $6,034 for white central-city households. Even among those who worked full time all year, the median for nonwhite households was $5,292 compared with $7,718 for the whites.[13]

TRANSPORTATION, INCOME, AND JOBS

Getting to a suburban job, therefore, imposes a greater burden on central city residents than is experienced by the suburban commuter to the city. Thus, transportation difficulties particularly affect Negroes, who are frequently confronted with discriminatory housing practices in the ring.

Public transportation to the suburbs is usually expensive, often circuitous, or simply not available. Detailed fare schedules from the American Transit Association show that fares on public transit lines from the central city to the closest suburban area range from 30 cents one way in 1 of the 14 SMSA's studied to 65 cents in another. The distances for which public transportation is provided vary, but it is obvious that a minimum of $3 a week (or almost $15 a month), plus more than an hour a day, including transfers and waiting, would have to be spent by a city resident to work in the suburbs. Furthermore, rush-hour schedules are not usually arranged to speed transit users to the outside in the morning and to the inside in the evening, as is frequently done for commuters in the opposite direction.

There is substantial evidence that central city residents using public transport spend more money and time to reach suburban jobs than those commuting to the city.[14] Those wanting jobs at a substantial distance, or beyond bus or rapid transit lines, pay an especially high price. According to estimates by the Traffic Commission of New York City, it would cost a worker in Harlem $40 a month to commute by public transportation to work in an aircraft plant in Farmingdale (Long Island), in a parts plant in Yonkers or Portchester (Westchester), or in a basic chemical plant or shipyard on Staten Island. The estimate includes $1.50 a week for the New York City subway, $30 a month for a commutation ticket on the Long Island or New Haven railroad, and $3 a week for transportation from the suburban station to the plant. The public transit cost for a Bedford-Stuyvesant resident to work in the same place would be nearly $50 a month.

Footnotes at end of article.

TABLE 2.—PERCENT OF NEW PRIVATE NONRESIDENTIAL BUILDING OUTSIDE THE CENTRAL CITIES OF 14 SELECTED SMSA's, 1960–65 AND 1954–65 [1]

Type of new nonresidential building	Percent of valuation of permits authorized for new nonresidential building in—													
	Atlanta	Boston	Chicago	Cleveland	Dayton	Detroit	Indianapolis	Los Angeles	New Orleans	New York	Philadelphia	St. Louis	San Francisco	Washington
1960–65														
All types [2]	47	64	65	56	62	69	41	59	42	38	65	41	60	74
Business	44	68	64	60	66	69	49	60	49	39	70	39	63	70
Industrial	71	81	77	61	56	70	52	85	58	61	75	67	84	96
Stores and other mercantile buildings	44	74	67	74	78	80	55	63	66	64	75	75	72	91
Office buildings	25	52	58	38	53	55	21	41	10	21	52	32	38	58
Gasoline and service stations	63	91	54	57	98	58	54	60	60	51	66	55	72	76
Community	60	61	64	44	49	71	33	61	37	31	60	37	58	77
Educational	59	63	64	51	28	68	24	61	35	29	67	67	57	57
Hospital and institutional	59	38	56	15	56	61	14	72	44	25	38	35	52	78
Religious	69	92	73	84	56	81	56	69	35	55	77	86	62	86
Amusement	31	59	80	60	99	86	58	35	41	19	59	85	74	96
1954–65 [3]														
All types [2]	43	68	63	58	(4)	71	44	62	(4)	44	67	(4)	63	64
Business	41	70	61	59	(4)	73	50	63	(4)	44	69	(4)	64	62
Industrial	66	82	73	60	(4)	75	61	86	(4)	75	76	(4)	84	84
Stores and other mercantile buildings	40	74	67	73	(4)	77	52	66	(4)	71	72	(4)	72	89
Office buildings	21	51	39	37	(4)	58	21	41	(4)	18	51	(4)	37	47
Gasoline and service stations	60	82	59	62	(4)	65	56	62	(4)	65	73	(4)	73	81
Community	48	67	66	44	(4)	70	40	63	(4)	38	68	(4)	64	64
Educational	57	72	69	61	(4)	79	46	59	(4)	34	72	(4)	73	57
Hospital and institutional	32	41	58	33	(4)	62	10	70	(4)	32	43	(4)	53	61
Religious	59	86	68	81	(4)	74	59	70	(4)	61	80	(4)	65	75
Amusement	30	64	75	57	(4)	43	52	50	(4)	33	72	(4)	55	95

[1] Data for groups of years are used to avoid erroneous impressions from erratic year-to-year movements in building construction. Data for southern and western SMSA's reflect a more significant degree of annexation and area redefinition and are therefore less reliable than figures for other regions.

[2] Includes types not shown separately and excludes major additions and alterations for which type of building is not known.

[3] Excludes data or 1959, for which comparable information is not available.

[4] Not available.

Source: Unpublished data of the Bureau of the Census, tabulated at the request of the Bureau of Labor Statistics. Based on a sample of over 3,000 permit-issuing places.

Persons whose incomes are most limited are most likely to use public transportation to work.[15] Also, public transit usage declines with auto ownership; auto ownership rises with earnings, even in the suburbs.

Most nonwhite families living in central cities do not have an automobile. Fewer than half owned a car in 8 of the 14 central cities in the SMAS's selected for study. The six cities where half or more of the nonwhite families owned a car were all in the Midwest or the West, where median incomes are highest.[16]

Irrespective of earnings, however, central city residents and workers tend to use public transit most. The accompanying chart shows the patterns in six of the SMSA's. This is a reflection of convenience and availability, since a large percentage of workers in SMSA's live and work in the central city. Almost all the rest live in the ring and work either in the ring or in the central city. The smallest proportion usually are those who travel from the city to the suburbs.

An illustration of the effect of convenience and availability is seen in the influence of a rapid transit system, such as a subway or railway, on public transportation use. This is revealed by results of a multiple regression analysis, which introduced seven selected determinants of public transit use in the 14 SMSA's studied. Of the seven variables used (auto ownership, land area, population density, income adjusted for price and city budget differences, sex, color, and whether or not a rapid transit system is available), clearly the most significant and influential was the availability of rapid transit. The seven indicators together explained virtually all of the variability in public transit use for each group of residents for which the regression was run,[17] except for those living and working in the ring. Even for the latter, well over half the variability is explained; availability of rapid transit remains the most influential determinant.

TABLE 3.—PERCENT CHANGE IN PAYROLL EMPLOYMENT IN SELECTED SMSA'S AND IN THEIR RING, BY INDUSTRY GROUP, 1959–65 [1]

Standard metropolitan statistical area	All industries		Manufacturing		Trade				Construction		Transportation and public utilities		Finance, insurance, and real estate		Services	
					Retail		Wholesale									
	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring	Total, SMSA	Ring
Total of 12 SMSA's [2]	12	30	4	15	15	39	8	46	18	31	14	19	14	55	30	55
Atlanta	32	51	21	39	26	58	38	138	67	80	35	130	44	88	37	81
Boston	9	14	−24	−2	14	24	7	37	27	31	−1	18	12	23	32	42
Chicago	10	34	6	27	16	47	9	60	5	6	(3)	11	10	30	24	60
Cleveland	10	36	3	34	14	35	5	9	18	10	16	33	20	29	27	71
Dayton	17	20	10	20	12	8	33	(3)	36	27	23	20	10	11	42	48
Detroit	16	48	11	36	16	57	11	76	14	80	7	67	19	276	34	82
Indianapolis	11	25	10	20	−1	29	14	10	8	8	14	13	14	20	24	52
New Orleans	24	54	26	12	14	77	−1	17	53	151	20	48	18	125	34	73
New York	9	37	1	15	11	40	4	66	4	24	20	19	7	51	26	58
Philadelphia	9	22	1	12	11	37	3	44	8	14	23	4	17	41	28	49
San Francisco	19	27	6	13	25	37	10	29	19	19	12	21	31	35	36	50
Washington	34	61	34	75	28	58	24	57	43	59	10	13	47	106	47	78

[1] Excludes government workers and the self-employed. Employment in the ring is estimated from employment outside of the county in which the central city is located. The central city and county were coterminous in both years in New Orleans, New York, Philadelphia, and Washington. For the following the ratio of the central city to central county employment in 1960 was 107 in San Francisco-Oakland, 89 in Boston, 70 in Indianapolis, 68 in Chicago, 64 in Detroit, 61 in Atlanta, 53 in Cleveland, and 52 in Dayton. Since the central county was used to establish the central city, the figures for the ring underestimate the suburban trend in all central cities which are smaller than the central city-county.

[2] Excludes Los Angeles and St. Louis; for Los Angeles, data for the central city-county do not permit close enough approximation with the city proper, and for St. Louis, data are not yet available for 1965.

[3] Less than 0.5 percent change.

Source: County Business Patterns (U.S. Bureau of the Census, 1959 and 1965).

Dependence on public transit among poor and relatively low-paid workers lends importance to the change in public transit costs as well as the level. Fares for public transportation have risen twice as fast as the cost of buying and operating an automobile since 1957–59. The rate of increase is more than for any other group of commodities or services in the Bureau of Labor Statistics Consumer Price Index, with the exception of medical care, and even exceeded medical care in Atlanta, Boston, Los Angeles, and Philadelphia.[18]

Of all who traveled from home to work in 1960, the smallest journey-to-work group (less than 10 percent of the total) commuted

Footnotes at end of article.

from central city to the suburbs. This percentage is surprisingly small, considering that high unemployment rates and low-income populations are concentrated in the city, whereas employment opportunities are expanding in the outskirts.

Of the men who did travel to the ring in 1960, half were craftsmen or production workers and another 13 percent were in professional or technical work. Of the women, about 1 of 5 were clerical or production workers. These occupational distributions for those traveling to the suburbs are not greatly different from those of the major group, which both lives and works in the central city. The occupational distribution of central city-to-suburb commuters varies most from the suburban residents who commute to the city and who are more likely to be in professional and managerial work. The central city-to-suburb commuters' occupational pattern differs little from those who live and work in the ring. Among the latter, the proportions of men and women are about the same, and, as in all four journey-to-work groups, women tend to be much more concentrated in clerical and service jobs than the men. The men predominate in industrial jobs. They are not more professionally oriented than in the other groups and are less so than among the commuters to the city from the ring.

Even without a detailed occupational classification, it is possible to judge that a great many of those who work in the suburbs (or of those engaged to work in the new job openings there) are paratechnical, subprofessional, clerical, sales, or semiskilled employees in plants, stores, warehouses, hospitals, and the like. These are the kinds of jobs for which the unemployed and underemployed in cities could be hired directly, or trained by employers or the Government with little effort or expense. But these jobs are not accessible or always open to unemployed or underemployed city dwellers, many of whom are Negroes. This significantly limits the contribution expanding job opportunities in the ring could make toward overcoming the competitive disadvantage and unused skill potential of those living in the city.

FOOTNOTES

*Of the Division of Economic Studies, Bureau of Labor Statistics. With the assistance of Laura L. Irwin and Sylvia S. Small.

[1] See "The Economy in 1966," *Monthly Labor Review*, February 1967, p. 5.

[2] "Suburbs" and "ring" are used interchangeably in this article to represent the entire area outside of the central city or cities of the Standard Metropolitan Statistical Area, as defined by the U.S. Bureau of the Budget.

[3] See *Income, Education, and Unemployment in Neighborhoods*, a series of reports on 34 cities by the Bureau of Labor Statistics, based on 1960 Census data for Census tracts (January 1963); "Poverty Areas of Our Major Cities," *Monthly Labor Review*, October 1966, pp. 1105–1110; from the U.S. Bureau of the Census, *Special Census Survey of the South and East Los Angeles Areas: November 1965* (Series P–23, No. 17, Mar. 23, 1966); *Changes in Economic Level in Nine Neighborhoods in Cleveland: 1960 to 1965* (Series P–23, No. 20, Sept. 22, 1966); *Characteristics of Selected Neighborhoods in Cleveland, Ohio: April 1965* (Series P–23, No. 21, Jan. 23, 1967); and Mollie Orshansky, "The Poor in City and Suburb, 1964," *Social Security Review*, December 1966, p. 30.

[4] Data on the valuation and number of nonresidential buildings authorized by building permits, by type of building, in individual localities and counties throughout the country are compiled by the Bureau of the Census from almost all known permit-issuing places. These comprehensive statistics are available for individual localities and areas, and are used to develop national and regional estimates. For a large proportion of Standard Metropolitan Statistical Areas (SMSA's), reports from building-permit officials on building permits authorized in the individual localities or counties that comprise the SMSA's are complete or virtually so. The data for this section of this study are based on information for selected SMSA's for which the data are complete or virtually so, and on Census estimates for 4 regions and the Nation.

The valuation placed on a building at the time of permit issuance varies from the true construction cost, and is usually somewhat lower. The differences between permit valuation and final construction cost are assumed to be relatively consistent within localities and are estimated not to affect the trends and relationships reflected in the data presented in this article.

Permits which are issued are almost invariably used, according to special Census surveys. For further information on the building permit series, see *Construction Statistics, 1915–1964: A Supplement to Construction Review* (U.S. Department of Commerce, Business and Defense Services Administration, 1965). See also Bureau of the Census, *Construction Reports*, Series C–40 and Series C–42.

[5] *The Negroes in the United States* (BLS Bulletin 1511), pp. 3–17 and 66–70. See also *Census of Population: 1960, Standard Metropolitan Statistical Areas*, PC(3) 1D, lists 1, 2, and 3 on pp. XVI–XIX, and table 1 (U.S. Bureau of the Census). See J. R. Meyer, J. F. Kain, M. Wohl, *The Urban Transportation Problem* (Cambridge, Mass., Harvard University Press, 1965), chapters 1 and 2 and accompanying footnotes to related literature.

[6] The 14 SMSA's selected for study are among those for which building-permit data were most comprehensive and comparable, based on evaluation by experts in the Bureau of the Census. These SMSA's were studied also for the effects of annexation, and for changes in definition during the period 1954–65. The effects, while relatively sizable between some years for a few areas, could not be said to bias the results in any area for cumulative data covering 5 years or more

[7] Excludes the self-employed and Government workers.

[8] See also "Transportation Implications of Employment Trends in Central Cities and Suburbs," by Edmond L. Kanwit and Alma F. Eckartt, presented at the 46th annual meeting of the Highway Research Board, in Washington, D.C., January 1967, especially pp. 10–15.

[9] Orshansky, op. cit., table 7, p. 31.

[10] For a few readings on the extent and influence of residential segregation, see George and Eunice Grier, *Equality and Beyond: Housing Segregation and the Goals of the Great Society* (New York, Anti-Defamation League of B'nai B'rith, 1966); Harry Sharp and Leo F. Schnore, "Changing Color Composition of Metropolitan Areas," *Land Economics*, May 1962; and Karl and Alma Taeuber, *Negroes in Cities* (Chicago, Aldine Publishing Co., 1965).

[11] Census Bureau, op. cit., Series P–60, No. 48, Table 8, pp. 20–21.

[12] Orshansky, op. cit., pp. 30–31; see also footnote 2.

[13] See "Income in 1964 of Families and Unrelated Individuals by Metropolitan-Nonmetropolitan Residence," *Current Population Reports, Consumer Income*, Series P–60, No. 48, table 1, p. 13 (U.S. Bureau of the Census). Data relate to families and unrelated individuals.

[14] Meyer, Kain, and Wohl, op. cit.; a national study of urban transportation patterns by John B. Lansing, *Residential Location and Urban Mobility: The Second Wave of Interviews* (Ann Arbor, University of Michigan, Survey Research Center, 1966); and independent analysis of Cleveland and Washington, D.C., transit schedules.

[15] These data are chiefly from the *Census of Population: 1960, Journey to Work*, PC (2)–6B, table 2, and *Census of Housing: 1960, United States Summary*, HC(1), No. 1, table 19 (U.S. Bureau of the Census). Additional tabular material is available upon request to the author.

[16] *Census of Housing: 1960, United States Summary, States and Small Areas*, HC(1), No. 1, table 19 (U.S. Bureau of the Census).

[17] Those living and working in the central city; living in the central city and working in the ring; living in the ring and working in the central city; and living in the ring and working in the ring.

[18] Public transit fares outside as well as inside the central city are used in computing the Index.

SENATOR DOMINICK PINPOINTS FALLACIES OF GUN BILL ARGUMENTS

Mr. HRUSKA. Mr. President, the Subcommittee on Juvenile Delinquency has held 11 days of hearings thus far this summer on the pending Federal firearms legislation: the administration proposal, amendment 90; Senator DODD's bill, S. 1; and my own, S. 1853; and S. 1854.

In my opinion, a most succinct and helpful presentation to the subcommittee was made by the distinguished junior Senator from Colorado [Mr. DOMINICK], who clearly delineated the fallacies in the arguments of those who would have us enact all-encompassing Federal regulation of firearms.

At the same time, however, the Senator from Colorado underlined the need to regulate the abuse of firearms. He expressed agreement with the necessity of certain corrective amendments to the Federal Firearms Act and to the National Firearms Act and said:

> Enactment of these proposals coupled with vigorous enforcement would close existing loopholes in the law which have been a source of aggravation and frustration for our law enforcement personnel.

Mr. President, it was with great pleasure that I noted Senator DOMINICK's endorsement of the approach I have taken in my bill, S. 1853. I welcome the reasoning he expressed to the subcommittee and urge the Members of the Senate to consider seriously his logical analysis of the problem. Let us pay heed to his call that:

> Any federal legislation be acted upon with a calm sense of deliberation and awareness of the need for balance and reason.

I ask unanimous consent that Senator DOMINICK's testimony of July 28, 1967, before the Subcommittee on Juvenile Delinquency be printed in the RECORD.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR PETER H. DOMINICK ON FIREARMS LEGISLATION BEFORE THE SENATE SUBCOMMITTEE ON JUVENILE DELINQUENCY, JULY 28, 1967

Mr. Chairman and members of the subcommittee: I am delighted to be here this morning to testify on the various proposals pending before this subcommittee on federal firearms legislation.

Coloradans have a vital interest in these bills. We probably have a greater percentage of our population as legitimate owners and wholesome users of firearms than most states in the country.

Mr. Chairman, the proponents of strict federal legislation justify it primarily on the basis of the impact they assume it will have on crime. With rising crime rates, mass murders, and numerous civil disorders in our cities, we all share the concern for finding more effective tools to assure law and order. But will regulation of guns cut down crime?

I recognize there are any number of contributing factors to crime. Surely our efforts to remedy the problem must be many-faceted. However, I have yet to be convinced that tight federal restrictions on firearms are going to affect significantly the surging crime rates.

Similarly, let us not be disillusioned into thinking that mass murders will be prevented if federal controls are enacted. We all recall that tragic day in August, 1966, when Charles Whitman killed 13 people and wounded 31 others from a tower at the University of Texas—or Duane Pope's spree when he killed 3 Nebraska bank employees in 1965. Following both instances, there were outraged cries for a gun bill. But what were the circumstances? One weekly news magazine described Whitman as "an exemplary boy, the kind that neighborhood mothers hold up as a model" and Pope as "an All-American, God-fearing, corn-fed Kansas boy" with "a solid past and a promising future". It is doubtful whether any firearms law—local, state, or federal—could have averted those sad events.

In recent days riots have been erupting in our nation's cities with a frequency and savageness that is frightening. This wholesale lawlessness and looting cannot be tolerated. It must be met with the firmness which the circumstances require. Resolutions were introduced in the Senate this week containing various proposals to investigate riots and civil strife and make recommendations on an emergency basis. I believe a thorough examination to be imperative. The lack of adequate factual material in this respect became apparent to me earlier this week when I attempted to obtain information on the use of firearms by those involved. A representative of the Alcohol and Tobacco Tax Division of the Internal Revenue Service, responsible for enforcing the National and Federal Firearms Acts, advised me investigations were still underway in Newark. He was able to state that during the Watts uprising there were 734 firearms reported stolen from merchants. I suspect that most of the firearms brandished in the more recent riots will also turn out to have been stolen rather than purchased. The account of the situation at Newark in the July 21 issue of *Time* magazine seems typical:

"One ransacked store near Springfield Avenue yielded rifles, shotguns and pistols. Soon shots were snapping from windows and rooftops, aimed at police patrols and firemen en route to battle the dozens of blazes that broke out."

Frankly, if there were sufficient evidence to sustain a correlation between the purchase of firearms and violence in our streets, I would feel compelled to advocate broad revisions in our laws at all levels of government.

Certainly public disgust is understandable when these reported abuses of guns are made. Whether and to what extent there should be changes made in existing gun laws is a complex and emotional issue, one which is the subject of great national concern. I know that this subcommittee has held extensive hearings on this subject. I am aware of the sharp divisions among the members of the Judiciary Committee in reporting out the Hruska bill in the 89th Congress. In view of this, I am pleased to see you conduct an extensive examination again this year for I am deeply concerned that these bills not be acted upon in haste.

Despite my reservations about some of the proposals, there are corrective amendments to the Federal Firearms Act and to the National Firearms Act which I support as being useful and necessary.

First, I am in accord with provisions to curb traffic in the so-called destructive devices. I think few will disagree that there are virtually no sporting purposes suitable for rockets, grenades, bazookas, mines, etc. The better approach is that of Senator Hruska's bill, S. 1854, placing the regulation of these weapons under the National Firearms Act. Because of their very nature, they should not be lumped together with the sporting-type firearms under the less stringent Federal Firearms Act.

Second, it should be made unlawful to mail any type of firearm into a state in violation of the state and local laws in the state where the purchaser resides.

Third, it should be made unlawful for a person to bring into his state of residence any type of firearm purchased elsewhere when it would have been unlawful for him to purchase it in his own state. I am speaking here solely of those instances where an out-of-state purchase was made by an individual in order to circumvent the local laws of his own state. I understand that the Massachusetts State Police traced 87 per cent of the concealable firearms used in crimes in Massachusetts to out-of-state purchases. According to the Alcohol and Tobacco Tax Division, there were approximately 5,000 St. Louis residents who purchased firearms across the river in Illinois during the period February 1966 to February 1967. I might add these were primarily handguns and 200 of the purchasers had felony records. I am unsure how many of these out-of-state purchases would have violated the laws of Massachusetts or Missouri, but the possibility for abuses is obvious.

It seems to me that enactment of these proposals coupled with vigorous enforcement would close existing loopholes in the law which have been a source of aggravation and frustration for our law enforcement personnel. At the same time there could be no question of imposing undue burdens on the more than 20 million citizens who now possess firearms.

If federal legislation is to go beyond this point, then we should proceed with the highest degree of caution. Our goal should be to preserve primary responsibility for the control of guns in the states, the federal government entering the field only to such an extent as may be necessary to encourage more effective enforcement of state and local laws. Each state should be left to deal with firearms in a manner which it determines to be best suited to its particular circumstances.

Mr. Chairman, Colorado issued 424,806 firearms hunting licenses in 1966. Of course, there are many guns held for target, skeet and trap shooting or other wholesome non-hunting purposes which are not included in this figure. Since our population is approximately two million people, the heavy concentration of guns is obvious. We are not a crime-free state, but our citizens do not live in perpetual fear of being robbed, yoked, or mugged on the streets. Our state General Assembly has not found it necessary to enact tight restrictions on guns. The firearms problems of Colorado simply are not the same as those of New York or Washington, D.C.

If there are to be further extensions of federal authority, then let us limit them to the area of greatest abuse. The record is clear that the handgun is the most formidable and commonly used weapon of the criminal. In 1965, 70 per cent of the murders committed with firearms involved a handgun. There were about 45,000 armed robberies committed with firearms and FBI Director Hoover reported that "most" of these were with handguns. In 1966, 71 per cent of the approximately 6,000 criminal homicides entailed the use of a handgun. In checking with Mr. Hoover's office, I was informed no figures were available on the type of guns used in the estimated 41,700 aggravated assaults and more than 50,000 armed robberies in which firearms were used, but I think it reasonable to say that the same pattern of misuse of the handgun exists.

Statistics in Colorado paint a similar picture. The Chief of Police in Colorado Springs advised me that one major problem is in dealing with the acquisition and possession of pistols and revolvers. And the Chief of Police for the city and county of Denver estimated that handguns are used in 95 to 98 per cent of the crimes committed with guns in the metropolitan area.

Mr. Chairman, it is inescapable that Senator Hruska's bill, S. 1853, is founded on sounder rationale and is headed in the right direction. It would focus almost entirely on the handgun while continuing to permit mail order sales and over-the-counter purchases by non-residents following a notice and waiting period. It would also preclude mail order sales of handguns to minors. I understand it is designed primarily for the object of giving notice to local law enforcement officials of the interstate traffic in this type of firearm. Any further action is left to the discretion of the state. Though I have some doubts as to the effectiveness of the affidavit procedure, the legislative approach taken by the Hruska bill is by far the more realistic and reasonable.

Under no circumstances can I support the Dodd bill, S. 1, or the amendment suggested by the Administration (Amendment 90) in their present form. Both would prohibit the sale of handguns by mail order and over-the-counter purchase by a non-resident. The principal difference between the two is that the Administration would prohibit the mail order sale of rifles and shotguns, while Senator Dodd's bill would utilize an affidavit procedure.

As near as I have been able to determine, Coloradans overwhelmingly oppose either of these. Since January, 1967, I have received more than four times as much correspondence from people in my state objecting to these proposals than all other letters on guns combined.

Frankly, I see no reason for such all-encompassing federal regulation. There are those who argue they will provide better controls over interstate commerce in firearms. Let us be candid, Mr. Chairman. The Administration bill in effect stops interstate transfer of all firearms among anyone other than a federal licensee. The Dodd bill does the same for handguns, and then in a whipsawing manner strikes back to regulate the flow of rifles and shotguns.

I was somewhat alarmed by the individual views of Senator Kennedy of Massachusetts filed in the report of the Judiciary Committee in October, 1966, stating that he considered the Dodd bill introduced in the last Congress a "first step" in controlling firearms abuse. Some measure of the dissent this bill has caused is amply demonstrated by the point raised earlier before the Subcommittee that the Legislatures of 8 states have adopted resolutions in opposition to it—Alaska, Alabama, Arkansas, Louisiana, Michigan, Montana, Oklahoma, and Texas. If a measure this severe is to be the first step in new federal government regulation of guns, what lies ahead? I would like to make it crystal clear that this is one Senator who will fight to the finish any steps to require a national registration system for firearms.

In conclusion, Mr. Chairman, I'd like to reemphasize my concern that any federal legislation be acted upon with a calm sense of deliberation and awareness of the need for balance and reason. It should not be enacted on the erroneous theory that national firearms controls will be any solution to our crime wave.

SUPPORT FOR NATURALIZATION OF OLDER IMMIGRANTS WITHOUT THE ENGLISH LANGUAGE REQUIREMENT

Mr. YARBOROUGH, Mr. President, several days ago, I introduced a bill (S. 2294) to provide for the waiver of the English language requirement in the Immigration and Naturalization Act for persons 50 years of age with 20 years of residence in the United States.

Since that time, the bill has received widespread support across Texas, where a major portion of the 10,000 people who would be affected reside. The citizens of my State have shown increasing concern about the situation of the older people who were arbitrarily excluded from the exemption in 1952. I hope that the Senate will take early action to correct this situation.

If it is passed, the bill will correct an omission of 15 years' standing. It will free thousands of people from the otherwise insuperable limitations imposed on them in their pursuit of citizenship. It will also give the United States a new group of mature, loyal, and valuable citizens which it might otherwise have been denied.

Mr. President, I ask unanimous consent that an editorial entitled "Full Citizenship," published in the Alamo Messenger, San Antonio, Tex., of August 24, 1967, be printed in the RECORD.

There being no objection, the article is ordered to be printed in the RECORD, as follows:

FULL CITIZENSHIP

Texas' Senior U.S. Senator Ralph Yarborough last week introduced legislation to ease citizenship requirements for longtime foreign residents of the United States, who are at least 50 years old, by exempting them from English language requirements.

The bill amends the Immigration and Nationality Act to allow individuals, living in the country for 20 or more years to become citizens—although they do not speak English.

According to Sen. Yarborough, the language requirement is "an unnecessary barrier to achievement of citizenship by many old people who intensely desire to become citizens. They have usually been good and productive members of society for 20 years, and often they have raised families of children as citizens."

The Immigration and Naturalization Service estimates the bill would affect 10,000 older immigrants in the United States. Most of them are Mexican nationals, concentrated chiefly in Texas and California.

There is precedent for such action. A similar language exemption was included in the 1952 act, but it pertained only to persons who qualified as of Dec. 24, 1952. As the senator points out realistically, thousands of worthy people, born after 1902, or who came to this country after 1932 were arbitrarily excluded.

The new bill would set aside this arbitrariness of the 82nd Congress which accepted the principle but limited the effect.

Young immigrants, with all of our educational facilities open to them at a time when they are most capable of learning, can be reasonably expected and as a matter of fact to desire to acquire an adequate knowledge of English. When they do so, and when they meet the other requirements, they can become citizens in only five years.

But there are thousands of people, whose age presents special barriers to attaining English literacy. Often these people have sacrificed their own advantage to give their children the education they lack themselves. The point is, whether or not they speak English, 20 years of residency and maturity of judgment ought to qualify them for the citizenship they so strongly desire.

This legislation is primarily a humane measure. We recommend it not only because the country would gain worthy and useful citizens but especially because these older persons love the country, having rendered service to it directly and they continue to do so through their children and grandchildren. And we commend Sen. Yarborough for his farsighted and compassionate move to extend the privileges and obligations of full citizenship to thousands, now denied it by an inadequate law.

A NATIONAL INSTITUTE FOR URBAN DEVELOPMENT AT WAYNE STATE UNIVERSITY

Mr. HART. Mr. President, several days ago, the Senate was reminded by President Johnson and the able majority leader of the 23 proposals to heal our cities which the President had recommended and have been before us all year.

This list of undone work is impressive. But it is not nearly so impressive as the good that would come from the expenditure of $6 billion involved in those recommendations. With less than 4 percent of this year's Federal budget we could begin to correct problems that we know fester in our cities—and because seven out of 10 Americans live in them, that fester in the hearts of Americans.

Today I would like to single out one of the President's earlier proposals which he did not include on his list.

On March 14, in his message on urban and rural poverty, President Johnson recognized that less than one-tenth of 1 percent of our total Federal research and development funds have been devoted to housing and urban affairs.

He asked that "we move to build a basic foundation of urban knowledge." Partly, this was to be done by appropriating $20 million to the Department of Housing and Urban Development for general research.

Another suggestion—one less costly for the taxpayers—was that HUD encourage the "establishment of an Institute of Urban Development as a separate and distinct organization."

The task of such an institute, as President Johnson saw it, would be "to look beyond immediate problems and immediate concerns to future urban requirements and engage in basic inquiries as to how they may be solved."

While it was a good idea back in March, it did not light any fires. At least 5 months have passed and no such institute has been created.

But surely the upheaval of the past weeks in our cities should now make us recognize that while we know some of the solutions to the problems of the cities we do not know them all. And it is small wonder. For years we have been studying better ways to wage a war—better ways to grow corn—better ways to make men airborne—better ways to measure the weather—better ways to do all kinds of things. Each massive effort has been successful. Failure, thus far, is a word foreign to Americans dedicated to getting a job done. One of the major reasons for this is that we are a Nation blessed with technological minds that attack a problem with a vengeance and come up with a plan that will work. And we do not allow mistakes to change our commitment—as witness our reaction to the death of three fine spacemen on the pad at Cape Kennedy.

Why then, we might ask, when we are faced with our greatest domestic problem—cities rotting into slums, cumbersome transportation systems, putrid air, joblessness, overcrowding, and all the attendent problems—have we not put proved methods to work? Why indeed?

Today, then, I too call on the Secretary of the Department of Housing and Urban Development to take appropriate steps to create the Institute of Urban Development envisioned by President Johnson.

Further, I request that serious consideration be given to Wayne State University, in Detroit, as the site for this Institute.

There are many good reasons for this choice, and I should like to cite a few.

An obvious reason for selecting Wayne State University, of course, is that it is located smack in the middle of Detroit—a city which many described as a model city until it erupted this July into the worst civil disorder in U.S. history. As a laboratory then for students of where we have been wrong in the past and how we can be right in the future, it could be excelled by none.

Second, the university already has made a total commitment to the type of research which we would expect of the Institute.

A significant sign of this was the establishment last year of the Center for Urban Studies. This center was begun with a $25,000 grant from the university last year. This year the budget has been raised to $150,000. The center's goals are:

First. Social, economic, cultural, political, governmental, and environmental research directed to the accumulation of knowledge and the development of insights basic to action dealing with long-term and persistent problems of the Detroit and other Michigan metropolitan regions, and providing the basis for developing long-term opportunities of the area.

Second. The development of a library and data collection—and retrieval system—which will in due course establish the center as a major Midwest information resource on urban-metropolitan problems, making it possible more easily to build upon previous research efforts.

Third. The encouragement of formal and informal educational programs for undergraduates, and graduates, for public and private community leaders and others concerned with urban problems and the metropolitan community, and the establishment of curricula permitting students to concentrate on courses dealing with the urban-metropolitan community, so as to add to the number of persons informed on and specializing in subject matter relating to the urban-metropolitan community.

Fourth. Development of programs and

mechanisms designed to relate research findings and basic data to the processes of decisionmaking and to provide for effective interaction between decisionmakers and faculty members.

To realize these objectives the program of the center, emphasizes:

The provision of research professorships—as described more fully below—and research scholarships, fellowships, and assistantships.

The provision of a physical location where scholars—both faculty and students—concerned with urban life may meet together to work, to discuss, to interact with one another and with members of the community.

The provision of a specialized urban library and data collection, staffed by librarians, statistical clerks, and assistants with special interests in urban subjects and located so that the research professors have easy and continued access to these resources.

The provision of a small administrative staff to plan and administer center activities.

In addition, as part of the university's centennial celebration next year $70,000 has been allocated for seven symposia. The symposia will seek to "bring the virtues of intelligence and good will to the resolution of questions and problems regarding the nature of our cities."

Third, Wayne several years ago—in cooperation with the University of Michigan—established the Institute of Labor and Industrial Relations. A basic function of this institute is research activity.

Work has ranged from studies of discriminatory practices in employment, to pilot research on community mobilization and Federal programs designed to aid the disadvantaged, to study of the hardcore unemployable, to study of manpower adjustment to technological change, to preretirement education.

In addition, the institute has initiated an impressive new journal, Poverty and Human Resources Abstracts. Issued bimonthly, it contains 50 abstracts of material, published and unpublished, in the critical problem areas of poverty, human resources, manpower development, and social legislation.

Fourth, Wayne State University has an extremely active division of urban extension. Its activities have included training for Headstart teachers, establishing a degree program in police administration, and administering the Applied Management and Technology Center. Another activity was "Detroit adventure," a project to bring cultural activities to students in the intercity.

Fifth, discussions are now under way for an exchange of personnel and ideas between the Center for Urban Studies of the City University of New York, and Wayne.

Mr. President, as I said, Detroit preriot was a fascinating laboratory for students of urban affairs. Since the riot this fascination has magnified. Wayne already has been contacted by a number of persons seeking use of facilities—or financing—for valuable studies.

Some research to determine the whys of the Detroit riots already is underway. A $130,000 grant from the National Institute of Mental Health put researchers on the streets of the wrecked area while snipers were still at work. The goal is to determine what causes riots and what sociological, physical, and welfare changes are needed to avert future uprisings.

A grant request from the Department of Labor for a study of the selectivity of the rioting and looting is in process of submission.

Mr. President, there is no question that much more could be done—and must be done. Other centers are at work. All labor under the shortage of funds. All could profit from a central informational clearinghouse.

We need information, much more information, if we are to lick the problem of our cities as we have licked other problems. It seems to me that President Johnson was entirely right in proposing that an independent institute could aid in this job.

The financing for such an institute could, I believe, be shared by Government and private sources. Indeed, this would be the ideal way, for then the research could go on with a beholdence to no one. That way the facts can be unearthed and the chips can fall where they may.

Mr. President, for decades this country has been able to achieve amazing defense and aerospace goals by pulling together impressively well coordinated and effective research and technological complexes.

When we wanted to create an atomic bomb, we teamed intellectuals with engineers, theorists with technicians, academicians with industrialists.

When we wanted to whip the problems of space, we again assembled an impressive research and technological complex drawn from Government, universities, and industry.

These complexes have been created by public funds to attack massive problems.

Well, the problems of our cities are certainly massive. Would not these problems respond to the same sort of attack? Should we not be willing to make the same sort of commitment?

An Institute of Urban Development would be a useful first step toward such a commitment.

We have already wasted 5 months when we could have been learning how such a commitment would be most effective. Again, I join in the President's request that we establish this Institute—and quickly.

OPEN HOUSING

Mr. MONDALE. Mr. President, open housing is at the heart of the major problems of our big cities. Obviously, its lack means, for instance, the continuance of segregated schools and a lack of equal opportunity in those schools.

At the same time, open housing has been all too often misrepresented. George Meany, president of the AFL–CIO, contributed substantially to the removal of current misunderstandings in his testimony before the Senate Subcommittee on Housing and Urban Affairs. I ask unanimous consent that his statement be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT ON S. 1358, THE FAIR HOUSING ACT OF 1967, AND RELATED BILLS

(Statement by George Meany, President, American Federation of Labor and Congress of Industrial Organizations, before the Subcommittee on Housing and Urban Affairs of the Senate Committee on Banking and Currency, Aug. 23, 1967)

Mr. Chairman, my name is George Meany. I am president of the AFL–CIO. I am glad to have this opportunity to present our views on S. 1358, which you introduced by Senator Mondale and 21 other Senators of both parties.

I would also like to comment briefly, during the course of my testimony, on S. 2114 and S. 2280, offered by Senator Hartke.

We are pleased that S. 1358 is a bipartisan bill from its inception. Surely the long-delayed achievement of equal rights and equal justice for all Americans is not a proper matter for political dispute.

Let me emphasize our profound conviction that the bill before you is extremely important. It is not just a piece of housecleaning, aimed at picking up a few loose ends left over from the Civil Rights Act of 1964. On the contrary, its ramifications extend into many areas of civil rights already dealt with by that and other measures.

It is not an exaggeration to say that open housing is absolutely essential to the realistic achievement of such accepted goals as desegregated schools and equal opportunity. Indeed, until open housing becomes an operating fact, much of the statutory civil rights progress of recent years—great as it has been—will be no more than inoperative theory.

Schools are the most obvious example. The typical public grammar school is a neighborhood operation. The composition of the student-body, therefore, is determined by that of the residents. The result can, in effect, be de facto segregation.

To some degree this has always been true. In the long history of this country there have been neighborhoods which were in effect segregated by nationality. Some of them are with us yet. Those neighborhoods have had, in their own way, segregated schools.

But the problem of the Negroes is different. The Irish, the Italians and the other nationality groups had one ultimate weapon—mobility. They could and they did move out of their ghettos as their means permitted. Yes, they met some resistance, but it was seldom more than social ostracism of short duration.

Negroes simply do not have that kind of mobility. They may spend their working hours as part of a thoroughly-integrated work-force, but they come home at night to a segregated neighborhood, with its segregated school for their children.

Local school officials, under pressure from the federal courts, have contrived a variety of devices to overcome de facto segregation. These devices may well be necessary as stopgaps to meet the immediate need; but in the long run, the soundest way to attack the segregated neighborhood school is to attack the segregated neighborhood.

This has long been an objective of the labor movement. The 21 fair housing laws that have been passed by state legislatures, and the 43 enacted by cities and counties, were warmly supported and often initiated by organized labor. In the words of the Sixth Constitutional Convention of the AFL–CIO, in December 1965:

"A key feature of labor's housing program is its drive for equal housing opportunity for all Americans. There is no place in Amer-

ica for racial ghettos. Equal access, without regard to race, creed, color or national origin, to every residential neighborhood in every American community should be assured for every family in America."

Moreover, we have fitted our actions to our words. More than 150 housing projects have been sponsored by trade unions and others are on the way. One of the earliest, built by the Amalgamated Clothing Workers in New York City, is now 40 years old. All these projects, large and small, are available to tenants or buyers without regard to race, creed, color or national origin.

The experience of the labor movement amply proves that integrated housing works; that people of different races can live in harmony as neighbors. It should also help put to rest the only other argument against open housing that deserves any consideration at all—the notion that neighborhood standards decline when Negro families move in.

This is an ancient superstition, perpetuated by far too many unscrupulous real estate agents. But the fear it arouses in the hearts of some home-owners cannot be ignored. In the generally affluent society of recent years, vast numbers of young families have bought homes of their own. These homes represent, in most cases, the biggest investment they will ever make, not only absorbing their accumulated savings, but also involving a long-term mortgage obligation of substantial size. The loss of this investment would be a disaster.

Therefore the fears—though baseless—should not be denounced with righteous indignation, but dissipated by exposure to the truth.

Actually, it is our belief that the fears are not as widely held as some assert, especially if they are not drummed up by reactionaries, racists and real estate profiteers. A very heartening example was the gubernatorial election in Maryland in 1966, which I am sure the members of the committee remember. One candidate based his entire campaign on the slogan, "Your home is your castle"—which in this case meant total opposition to open housing. He went down to a resounding defeat at the hands of an electorate in which a great majority were registered members of his own party.

Most encouraging of all were the heavy votes against him in the "bedroom" communities in Montgomery and Prince Georges counties, where the immense population growth of recent years has been largely comprised of the young families I mentioned earlier. In the face of a campaign designed to capitalize on their fears, these voters ignored their party affiliation in order to repudiate a racist appeal.

They were right, not just morally but in terms of dollars and cents. For the old superstition about neighborhood standards and property values is simply not true.

It has its foundation, of course, in the unhappy fact that a great many Negroes live in slums. But the Negroes did not create the slums; they inherited them from other ethnic groups that were lucky enough to escape. And what they inherited was bad housing made worse by time and by lack of maintenance by its absentee owners.

There is no need to go beyond the limits of the District of Columbia to learn that neighborhood standards are not a matter of race. Let any skeptic take a tour—not a traditional tourist's round of national monuments, but a tour of the places where the city's Negroes live. He will find shameful slums; he will also find block after block of spic-and-span houses, bright with flower beds and well-kept lawns.

The simple exercise of observation should be even more persuasive than statistics, but statistics are also available.

Many studies have shown that Negro homeowners are just as concerned with neighborhood standards and just as diligent in maintaining them as any other group. One such study that came to this conclusion should, in this context, be above suspicion; it was conducted more than 20 years ago by the National Association of Real Estate Boards.

The matter of property values has also come under scrutiny. I am sure the members of the committee are familiar with the study by Dr. Luigi Laurenti, undertaken for the Commission on Race and Housing and published in 1960. It covered 20 neighborhoods in San Francisco, Oakland and Philadelphia where Negroes had moved in over a 12-year period. In brief, the results showed that in 85% of the cases, property values either rose or remained stable. In the other 15%, there were moderate declines. But most significantly, there was no pattern attributable to the entrance of non-whites; other influences, taking effect simultaneously, had more effect. Similar studies in Chicago, Kansas City, Detroit and Portland, Oregon, conducted independently by others, came up with the same findings.

Therefore the ancient superstition is no more than an evil falsehood, and the bill you are considering should go far toward wiping it out. And it should also go far toward retraining those who perpetuate it.

In this connection I am referring particularly to Section 4(c), which as I read it would forbid discriminatory references in real estate advertising.

In addition to the intrinsic merit of this provision, I have a special interest in it. And I question whether it goes far enough to meet the subtle discriminatory appeals of much real estate advertising.

Let us consider the peculiar posture of the daily press on this matter.

A considerable number of newspapers, to their great credit, have warmly supported the cause of open housing. One of them is a paper which I suppose all of us read every morning—the *Washington Post*.

Most of these same papers—perhaps all of them—have real estate sections at least once a week, crammed with advertising, much of it from real estate developers and real estate agents who are dedicated to the preservation of racial discrimination. One of these papers is the *Washington Post*.

On July 24 the *Washington Post* published an editorial, one of many on the general issue, offering commendations to the Montgomery County, Maryland commissioners for enacting a fair housing ordinance. As a citizen and a homeowner in that county I was moved to write to the *Washington Post*, as follows:

"Dear Sir:

"As a resident of Montgomery County, I join with the Washington Post (July 24) in hailing the new fair housing ordinance. It is, as you say, 'a standard of single importance' dealing with 'the most urgent domestic issue of this decade.'

"It is, I am proud to report, a decision that is four-square with the policy of the AFL–CIO.

"My purpose in writing, however, is to suggest that the Washington Post is in a unique position to aid the cause of fair housing by simply instructing its advertising department to abide by the principles that its editors espouse.

"I propose a simple declaration that the Washington Post will accept real estate advertising only from advertisers that guarantee the property, either for rent, or for sale, is available without regard to race, creed, color or national origin.

"Such a decision to put principle before profit could set 'a standard of national importance' for newspapers throughout the nation and I urge that the Washington Post establish this standard."

As we all know, Mr. Chairman, the *Washington Post* publishes many letters from readers, even critical ones. Sometimes, if it feels aggrieved, it follows a critical letter with a defense, in italic type. A newspaper or magazine can take criticism in stride, if it has any sort of case, because it always has the last word.

However, the *Washington Post* did not follow this course. It did not publish my letter at all.

Instead, I received a letter dated August 10 and signed by James J. Daly, vice president and general manager of the *Washington Post*, which reads as follows:

"Dear Mr. Meany:

"The Editor of *The Washington Post* has referred to me your letter of July 24, commenting on the Montgomery County fair housing ordinance and proposing that *The Washington Post* adopt a policy that it will 'accept real estate advertising only from advertisers that guarantee the property, either for rent or for sale, is available without regard to race, creed, color or national origin.' I appreciate this opportunity to comment on your proposal.

"I feel that you must be familiar with what I consider to be the extremely fine historical record that has been made in the field of real estate advertising by *The Washington Post* over the past several years. Long before there was any legislative action by any governmental body in this field, *The Washington Post* adopted standards of advertising acceptability which were designed to discourage, if not prevent, the advertising of property on a discriminatory basis of race, creed or color. Our policy, our views, and our objectives have certainly not changed, and we welcome the progress that has been made in the public field to facilitate the implementation of these wholesome and non-discriminatory objectives.

"However, upon reflection, I am confident that you will realize the dangers of adopting a policy of affidavits of guarantee or any other form of prior restraints upon advertisers of any kind respecting their intention to comply with the law. We would regard this as an abuse of both the authority and responsibility that a free press possesses in the fields of news and advertising.

"On the other hand, you can be sure that in applying our standards of advertising acceptability we will continue to refuse to accept copy which we believe is detrimental to the objective of non-discriminatory practices. Thank you again for your thoughtful letter."

Mr. Chairman, it would be an exaggeration to say that I was shocked by Mr. Daly's letter, but I was certainly saddened by it.

I freely acknowledge that the *Washington Post* long ago began rejecting real estate advertising labelled "whites only" or—conversely—"colored". By the moral standards of the publishing industry it took an advanced position.

But the display advertisements in the *Washington Post's* real estate sections drip with discrimination. What is meant by a phrase like "a private community"? Or "conventional mortgages only"? Or by "with club membership you become eligible to buy"? Any sophisticated reader can understand all this, and we think Mr. Daly and his colleagues are sophisticated. They know the people whose money they are taking.

In attempting to hide all this under a specious paragraph about "freedom of the press", Mr. Daly is insulting my intelligence. I did not appreciate this when I received his letter and my feelings have not mellowed in the two weeks since.

It is indeed ironical that the news column in Section A of the *Washington Post* can report in honest detail a demonstration or a court action against a discriminatory developer, while the real estate section will not only carry the same developer's advertising, but a puff story on the special merits of his enterprise.

One example is the Levitt organization, which discriminates nowhere, any more, except in the Washington area. Mr. Levitt has quite candidly said that he is following "local customs" in his three developments

here. His operations get respectful, if not worshipful, treatment in the real estate pages of the *Washington Post*, whose editorials deplore him.

Let me say flatly that the *Washington Post* has every legal right to pursue this devious course, under present law. We do think the readers of the *Washington Post*, which applies such lofty standards of conduct to others, are entitled to know what standards it sets for itself.

I have devoted this much attention to the *Washington Post* because it symbolizes an ailment that corrupts newspapers with the loftiest editorial principles. Actually I am flattering the *Post*, by saying, in effect, if it can happen to the *Post*, it can—and does—happen to papers everywhere. So I support Section 4(c), and an even stronger one if possible.

In the broader sense, of course, we in the AFL–CIO support all the provisions of this bill. We are in complete accord with its objectives and we believe its administrative structure is designed to reach those objectives speedily, effectively and fairly.

Now let me say a few words about Senator Hartke's two bills, both designed to meet a major problem facing Negroes who can afford to buy homes and who want to buy homes but are thwarted by the discriminatory practices of certain private lenders.

Everything that I have said about real estate interests applies, Mr. Chairman, with equal vigor to banks, mortgage loan agencies and other private lending institutions who engage in discriminatory practices. There must be some way in which this practice can be halted by the federal government and the Senator has proposed alternative ways of dealing with this problem. Like the Senator, we want these practices halted and we trust the committee will examine his proposals with care and adopt a measure to right this wrong.

But there is another point that must be made, even though it is not within the scope of the legislation now before you.

It is a variation in detail, but not in spirit, of a point we stressed in every civil rights struggle.

We said then that an equal right to be served in a hotel or restaurant was an empty right to a man without money. We said that an equal opportunity on the job was meaningless when there were no jobs to be had.

And so it is with open housing. A statute which establishes the right of every American to rent or buy any living quarters he wants and can afford is clearly necessary, and this bill will do it. But to have meaning—in the same sense that this bill will give meaning to other aspects of civil rights—open housing must go hand in hand with enough housing and housing available at price levels workers can afford.

Because of long neglect and inadequate appropriations, the housing legislation already on the books has never fulfilled its stated purposes. It must now be reawakened.

The facts are appalling. Low-cost public housing was launched by the Housing Act of 1937. In 1949, the Taft-Ellender-Wagner bill authorized the construction of 135,000 housing units a year. But by 1966, all the units built over 30 years could house only 605,000 families. There are 11 million urban families whose incomes are below the top limits for public housing tenants.

This is only one example of the immense backlog of housing needs. And as we all know, matters get worse day by day. In the next 20 years there will be more than 20 million additional households in America—65 million more people, at least 80 percent of them added to the urban areas where the housing deficiencies are already unbelievable.

A massive effort, both public and private, is essential.

The bill you are now considering should in itself widen the role of private builders, for they will be serving a substantial segment of the population they previously shunned. But to the extent that private construction falls short—and it is bound to—federal projects must fill the gap.

Let me make an analogy. Over the years we have said, and we still say, that when unemployment is a problem, the Federal Government must be the employer of last resort.

We say with equal conviction that when other alternatives have failed, the Federal Government must be the landlord of last resort.

One way or another, there must be adequate housing for all—open, yes, but adequate, too.

Therefore, Mr. Chairman, in giving our wholehearted support to this bill, we ask you and the other members of the committee to support in turn the other measures that are needed to make it meaningful.

A recent column by Msgr. George Higgins points out that a white gangster would have less trouble buying a home in an "exclusive" neighborhood than a Ralph Bunche or a Thurgood Marshall.

Your bill would overcome that kind of outrage—one that offends the whole concept of American society. If it is accompanied by a bold, broad and imaginative program to provide enough housing—adequate housing for all Americans, of all races and all levels of income, the dream of a truly better life will be much closer to fulfillment.

THE TAX MESSAGE: "A STUDY IN IRRELEVANCE, AN EVASION OF RESPONSIBILITY"

Mr. HARTKE. Mr. President, Professor Romoser, of the University of New Hampshire, says that the President's tax message is "a study in irrelevance, an evasion of responsibility."

Professor Romoser's analysis of the inverting of priorities is particularly telling. I am sure many of his colleagues in the University would share such views on this vital issue—an issue than transcends economics—an issue that is inextricably involved with the war in Vietnam, with the riots in the cities, and the faltering of our national drive for progress.

I ask unanimous consent that Professor Romoser's letter to the New York Times be inserted at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NEW TAX MEASURE

TO THE EDITOR: President Johnson's tax message is a further demonstration of the disastrous political conditions now prevailing in this country.

The President proposes an inequitable tax surcharge, which will affect middle- and lower-income groups the hardest, and which is an evasion of the need to overhaul the distribution of tax burdens and plug the loopholes which benefit the well endowed.

The President requires additional money to further prosecute our disastrous policies in Vietnam, which are lacking in any tactical, strategic, political or moral justification.

The President emphasizes rigid economies in unspecified domestic programs. He thereby encourages those who, with monumental irrelevancy, seek the causes of civil disorders not in the failure of our leaders to create a livable society for the underprivileged, or in our own cult of violence in Vietnam and elsewhere, but in the activities of "agitators."

Like the President's other recent remedies for existing and looming dangers, the tax measure is a study in irrelevance and an evasion of true responsibility. However, words have lost their meaning. Any deity the President seeks to invoke will certainly not understand a rhetoric in which incompetent policies are sought to be sanctified by invocations of "America's responsibility and purpose", and in which the Vietnam fiasco is identified with "the light of a proud tradition," as in the President's tax message.

One might, however, borrow from the President's favorite rhetorical stock the old saw: "God helps those who help themselves"—by sober and realistic policies attuned to demonstrable facts.

Until the latter come into being, we may undoubtedly look forward to a rapid increase in the strains which threaten the fabric of this country's existence.

REPUBLICAN LEADERSHIP MAKING AN IMPACT ACROSS THE NATION

Mr. HATFIELD. Mr. President, my distinguished colleague from Pennsylvania [Mr. SCOTT], has recently commented upon the leadership being reflected in the actions of this Nation's 25 Republican Governors. His eloquence in describing how these Governors, as well as other Republicans, have faced up to today's problems by offering fresh new ideas for solutions is worthy of the attention of each of us.

The need for new approaches and new ideas for solutions to our national problems have never been more pressing both in the foreign and domestic fields.

From this great supply of talent we can expect to continue to receive effective responsible leadership. I commend Senator SCOTT for his recognition of this leadership and ask unanimous consent that his comments be printed in the RECORD.

There being no objection, the comments were ordered to be printed in the RECORD, as follows:

I am happy to be in a progressive Commonwealth, led by a progressive Governor, and to visit with you who are members of a vigorous, hard working and revitalized Party, whose valiant efforts returned Massachusetts to constructive Republicanism and sent to us in Washington your splendid and popular new Senator Ed Brooke, to carry on in the tradition of Massachusetts' great Senator Leverett Saltonstall.

Republican leadership and Republican programs are making an impact in 25 of our 50 States with Republican Governors, from New England to Alaska. A majority of all Americans live under Republican State Administrations. Republicans control the Governorships of States with over 108 million population, while Democrats govern in States with 80 million persons.

Floundering, ineffective State government has been rejuvenated when Republicans moved into the Statehouse. Bankrupt, debt-ridden State treasuries have been rescued with no loss in services and benefits to the citizens. This is true in Massachusetts, Pennsylvania, Michigan, New York and other Republican States in the Union. Honesty and good government have been reinstated in places where those words had gone out of use.

Republican Governors have not been content to languish as satraps of the Federal bureaucracy. They have piled up impressive accomplishments of their own.

This same kind of Republican leadership and imagination can work the same miracles in Washington.

In the States, Republicans have come forth with fresh and exciting ideas and programs. The voters have responded.

In 1968, that response will be nation-wide and will herald the beginning of a new era of creativeness in Washington.

America cannot move forward in a society of mutually exclusive interests. Every part of our society must mesh if accomplishments are to be realized. Republicans are laying the groundwork for a creative partnership between all levels of government, private enterprise, and people—plain, ordinary people. That is the most important thing we have in this country. And that is what our government is of, by, and for—plain, ordinary people.

When people begin to look upon the Federal government—as many do today—as an unyielding, unresponsive bureaucracy, unapproachable and incapable of effective action, then it is time to make some changes.

The machinery of government under the Democrats has become so cumbersome that they could not change its present course even if they recognized the need for change.

The only idea they can come up with to meet the country's problems is a tax increase.

From Newark to Vietnam, the need is for imaginative new ideas and a new voice to lead the Nation.

I will not criticize President Johnson's conduct of the war in Vietnam. While we have boys fighting and dying there—and by the President's own projections the troop strength will soon be double what it was at the height of the Korean war—we must do all we can to back them up.

But the only realistic solution to the war is an honorable settlement through negotiation, and I do not believe the Communists wish to negotiate with the present administration.

In social and economic affairs at home, the Republican record is already being written in the States and in Congress. Your Senator Ed Brooke has greatly enhanced that record and helped invigorate the Party.

In response to the recent urban riots, when there was little leadership from Washington, many Republican Governors, including Governor John Volpe and my Governor, Raymond P. Shafer of Pennsylvania, met in New York and approved a plan of action for State leadership to meet the growing problems of social injustice and lawlessness. This remarkable 60 point document includes plans for State action to transform the physical environment of slum areas, to increase job opportunities, to improve educational opportunities, to improve services to individuals, to bring about flexibility, speed and realism in Federal programs, and to encourage individual citizen and private institutional participation.

Here is a creative blueprint for action drawn by men who are close to the problems and share the greatest responsibilities.

Another Republican approach is Senator Charles Percy's Home Ownership Plan for low-income families, which has been endorsed by every Republican in Congress. Its purpose is to break away from the stale, never-too-successful public housing concept and to offer the possibility of home ownership to people who could never otherwise dream of their own home. It too, envisions cooperation between government, the community, and private enterprise.

It is such a good idea that the Democrats, lacking any positive new approaches of their own, have taken it nearly word for word and tacked on a shock of hair. Republicans are happy indeed to see this awakening on the part of the Democrats. More and more, they are adopting Republican proposals to fill the gaps in their own thinking. Faced with their own failures, they are finally, although reluctantly, beginning to grope around outside their own bureaucracies for solutions.

Another program sponsored by a majority of Republicans in Congress is the Human Investment Act. It provides for a Federal income tax credit for employers to help offset the cost of training employees or potential employees in needed skills. It is designed to provide an efficient and effective answer to the problem of structural unemployment, and was drawn up with the realization in mind that business, not bureaucracy, creates jobs.

In addition to the new programs, we must tighten up existing programs and eliminate the waste which presently exists. There is no Federal program which is not in need of such treatment.

Republicans have also drawn up several plans to provide for the sharing of Federal taxes with the States, with no strings attached.

This latter plan would help unleash the talent and imagination which exists at the State and local level and allow greater flexibility in dealing with the unique problems of a given area.

The Democratic Party promises of recent years have been unequal to the problems of today. The American people want solutions which are practical and programs that work.

That is what Republicans intend to offer them in 1968.

DANGEROUS DELAY IN IMPROVEMENT OF BALTIMORE-WASHINGTON PARKWAY

Mr. BREWSTER. Mr. President, for some years I have been deeply concerned by an increasing number of serious accidents on the Baltimore-Washington Parkway.

This parkway, under the jurisdiction of the National Park Service, was built to serve as a magnificent entrance to our Nation's Capital and to provide adequate access for Government employees to a growing cluster of Federal agencies.

Now, as many Senators are aware, the Baltimore-Washington Parkway is the major bottleneck for all traffic entering the District of Columbia from the northeastern United States. It has the dubious distinction of being one of the most traveled, and most dangerous, limited-access roads in the Nation. It is lined with pitfalls and potential death traps.

Two years ago, I called a meeting aimed at correcting this intolerable situation. At that meeting, representatives of the National Park Service, the Bureau of Public Roads, and the Maryland and District of Columbia Highway Departments all promised to cooperate in developing and coordinating plans to improve the Baltimore-Washington Parkway and its access roads.

As a result of this and several subsequent meetings, the Park Service and the Bureau of Public Roads surveyed the parkway's defects. They prepared cost estimates for improving the road's interchanges, lighting, and signing. These were deemed to be necessary safety improvements rather than efforts to substantially increase the road's capacity.

I urged the National Park Service to request adequate funds for all of these safety improvements before the situation further deteriorated. The Park Service refused to make this commitment to safety. Instead, they agreed to improve the parkway's safety features in annual increments.

The proposed fiscal year 1967 Department of the Interior budget contained a request for $671,600 to construct improved acceleration and deceleration lanes at each interchange. When I questioned the small sum requested, I was assured that it was sufficient to do the job. Congress recognized the need for this improvement and approved the appropriation request.

In the spring of 1966, I was informed by officials of the Park Service and the Bureau of Public Roads that bids for the work would be advertised in August 1966.

Now, a year later, there has been no visible activity. This prompted me to inquire into the status of this project.

Today, I was informed by the superintendent of the Baltimore-Washington Parkway that bids will be advertised by this November. What happened in the meantime? I can only speculate that this urgently needed safety project has become a victim of the administrative quagmire that seems to engulf so many worthy programs. Planting flowers and shrubs and the Endangered Species Act have apparently received a higher priority in the National Park Service than the protection of human life on the parkway it administers. I am, and will continue to be, a supporter of both the highway beautification and the endangered species programs, but I must insist that the Park Service, as a minimum, give equal consideration to protecting people using its facilities.

Mr. President, I believe that this problem and many similar ones I have encountered during my tenure as a Member of Congress, point up the need for a greater watchdog role by the Congress.

There are cases where changing circumstances make it desirable not to spend such funds, but, on the other hand, there are many situations such as I have just described in which delay has been costly—not only in terms of dollars, but perhaps in terms of human life and personal injury.

TEXAS PASO CONVENTION COMMENDS SENATOR YARBOROUGH

Mr. MONTOYA. Mr. President, the senior Senator from Texas [Mr. YARBOROUGH] has at all times exemplified the best traditions of America in espousing programs that are designed to uplift deprived human beings. He is a man of compassionate heart and sincere dedication, and I can proudly say that the Spanish-speaking Americans of Texas and the entire Southwest are grateful to him and hold him in the highest of esteem.

At the recent Texas State Convention of the Political Association of Spanish-Speaking Organizations in Austin, Tex., a resolution was unanimously passed commending the senior Senator from Texas for his efforts on behalf of the Spanish-speaking Americans in many fields.

Specifically mentioned in this resolution was his fight for justice for our cold war veterans, the farmworkers, and the bilingual education of Spanish-speaking children. Because we all know the relentless efforts made by the senior Senator from Texas in these and other matters, I ask unanimous consent that the PASO resolution be printed in the RECORD.

There being no objection, the resolu-

tion was ordered to be printed in the RECORD, as follows:

RESOLUTION 7 PASSED AT TEXAS STATE CONVENTION POLITICAL ASSOCIATION OF SPANISH-SPEAKING ORGANIZATIONS, AUSTIN, TEX., AUGUST 11, 12, 13, 1967

Whereas, Senator Ralph W. Yarborough has shown true leadership in his relentness fight for the real needs of the people of Texas, and

Whereas, he has authored the Bi-lingual American Education Act, Senate Bill No. 428, which will help to raise the level of education of the Mexican-American children in their culture, and

Whereas, he has succeeded in his fight to extend the coverage of the G.I. Bill to include our gallant ethnic brethren who are fighting so gallantly in Viet Nam at the present time, and

Whereas, he has provided floor leadership in the Senate for the extension of the Federal Minimum Wage to cover certain farm workers and to increase the minimum wage of certain workers to $1.60 per hour, and

Whereas, he has supported the legislation to extend the jurisdiction of the National Labor Relations Board to farm workers, and

Therefore be it resolved, that PASO go on record commending Senator Ralph W. Yarborough in behalf of his efforts for the Mexican-Americans in these and other fields.

HIGH-SPEED GROUND TRANSPORTATION

Mr. TYDINGS. Mr. President, the New York Times of August 6 contains an important interview with Dr. Robert H. Nelson, Director of High-Speed Ground Transportation in the Department of Transportation. Dr. Nelson explains the severe effects the recent cuts in his budget made by the House Appropriations Committee would have upon the development of new forms of high-speed mass transit to provide swift, comfortable, convenient, and economical mass transportation between our increasingly congested urban centers. As a Senator from Maryland, a State in the middle of the northeast corridor and intimately affected by transit problems, I am deeply concerned about these appropriation cuts. I ask unanimous consent that the New York Times article be printed in the RECORD:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Aug. 6, 1967]

AN ECONOMY WAVE STALLS TRANSPORT—PLAN TO DEVELOP HIGH-SPEED SERVICE IS NOW DERAILED

(By Robert E. Bedingfield)

The Administration's ambitious plans to begin a new era of high-speed ground transportation have apparently been temporarily derailed by a Congressional economy wave.

Last month, the House Appropriations Committee voted to cut back to $10.3 million a request by the Department of Transportation for $18.6 million in the current fiscal year to develop such service.

The reduction will not affect the highly publicized project to run passenger trains between Washington and New York at speeds in excess of 100 miles an hour. That new service, which is set to begin on Oct. 29, already has cost the Government about $11.5 million and the Pennsylvania Railroad $44 million.

It will, however, delay indefinitely proposals for carrying passengers and their automobiles piggyback on railroad cars, and plans for testing wheelless trains, underground guideways, pneumatic tubes, linear electric motors, and other exotic research projects aimed at a sweeping improvement in surface travel.

Robert A. Nelson, director of High Speed Ground Transportation in the D.O.T., commenting on the House Committee's unexpected action, said last week: "I feel badly shaken and quite bloodied."

Dr. Nelson explained the reasons for his disappointment and concern over the reduction in the high-speed research budget this way:

"I am firmly of the belief we have to give railroad transportation a full test to evaluate the role that the railroads can play in the future in heavily populated corridors that are emerging in all sections of the country.

"We are going to test the appeal of such service by demonstrating the very best service that is possible. I would think at this point that the new high-speed trains will meet the need for some time to come, but that doesn't mean they will meet the entire need for future transportation or that there will be a universal renaissance of rail passenger travel.

"We have got to try out and experiment with different kinds of transportation and our experiments should be extensive. Rail transportation may be desirable in the Northeast, but not in sparsely settled areas. On the other hand, air transportation is not the answer for highly urbanized areas. What we must try to do is to encourage the fullest use of various forms of transportation that meet the public needs everywhere."

One type of transportation that faces a roadblock is auto-on-train service. Dr. Nelson's office had high hopes of starting such a service next winter between Washington and Florida.

Passengers would drive their own automobiles on to specially designed auto rack cars. Each car would be 85 feet long and would have two decks, each deck capable of carrying four automobiles. The cars would be enclosed and automobile passengers would be able to move freely along aisles to a lounge-and-service car at each end of a 12-car train.

The Government already has spent $1.1 million on market surveys and designs for the new cars and had awarded the United Aircraft Corporation a contract for engineering and experimental auto-ferry train. Now, however, the House Committee has completely eliminated the $3.5 million that the D.O.T. had requested to put the service in operation. The reason?

"If the project is economically feasible, there is no reason why private industry cannot proceed with it," the committee declared (The same committee found no inconsistency in appropriating $142 million for the development of two prototype supersonic airplanes.)

RISK IS NOTED

Dr. Nelson disagrees with the committee's reasoning. There is involved, he says, a matter of risk, and "it is generally recognized that capital funds available to the railroad industry are far short of covering virtually riskless investment opportunities yielding an immediate high return. Therefore, if this possible alternative to the construction of new highways and airports is to be evaluated, the Federal Government must undertake the responsibility."

Perhaps the form of high-speed transportation with the most exciting potential is that involving the use of tracked air-cushion or wheelless trains. Funds for their development were slashed by the House Committee from $1.9 million to $500,000, so they won't be operating soon.

The D.O.T. had counted on having a prototype air-cushion vehicle built and tested on a guideway within the next 18 months. But the budget cutback means the effort now will have to be limited to applied research. "It is a shame that we can't go ahead as we had planned," Dr. Nelson said.

He pointed out that tracked air-cushion vehicles have the potential to move passengers at high speeds without expensive roadbed construction and maintenance. While the ordinary steel wheel can't very well operate at speeds of 200 miles or more an hour, the tracked air cushion vehicle could. It would provide the access to airports needed now to avoid the long delays on congested highways experienced by air travelers in most urban areas.

Before the new jumbo jets, which will fly as many as 496 persons, and the supersonic airplanes go into service, "something must be done" to help speed the traveler to the airport. Dr. Nelson stressed. If it isn't, he said, "the ground delays will negate much of the time saved by air travel."

ELECTRIC MEANS

Considerations of noise and air pollution have focused a good part of the High Speed Ground Transportation propulsion efforts on electric means. This, coupled with the need to propel tracked air-cushion vehicles without transmitting power through axles and wheels, has narrowed the propulsion research efforts of Dr. Nelson's office to linear or straight electric motors as opposed to those that rotate.

The linear motor under consideration would be partly in the roadbed, partly in the vehicle. No large horsepower motor of this type, however, is known to be in operation anywhere in the world and for this reason the office of High Speed Ground Transportation had wanted to spend $1.5-million to test such a motor. The test would require a simple vehicle and a test track of five miles, but that test also will have to be dropped—at least for now.

Before the formation of the Department of Transportation early this year, the functions of the Office of High Speed Ground Transportation were vested in the Department of Commerce. The office is in good part an outgrowth of efforts of Senator Claiborne Pell, Democrat of Rhode Island, who has been one of the most earnest proponents of high-speed train service in the Boston-Washington corridor.

When Congress authorized the Office in 1965 it voted authorization of $90-million for research and development projects over a three-year period. Instead, Dr. Nelson has gotten only a fraction of that. The first year he had a budget of $18.5-million. He was supposed to get $35-million in fiscal 1967 and another $35-million in the current fiscal year. Last year, however, he received only $22-million and in the current year he is being held to $10.3-million.

Dr. Nelson said that the damage to the High Speed Ground Transportation program is even greater than the ratio of funds authorized to funds appropriated would suggest. This, he added, is because his office has a number of projects that are just ready to move from the drawing boards to the testing grounds. And as in the case of the auto-on-trains plan, stopping them now means that all the preliminary work has been wasted.

THE SURTAX AND INTEREST RATES

Mr. HARTKE. Mr. President, the money market has failed to respond to the President's tax message with expected lower interest rates. This failure is explained by the lack of confidence in both the figures the administration declares and the projections they make with these figures, which are being interpreted as another attempt at psychological manipulation of the American taxpayer. From the mail I have received, as well as from press comment, I must say this psychological game has failed.

What the American people want is the facts. And those facts should be forth-

coming when they mean something. Both the people and their representatives in Congress have had too much after-the-fact candor as compared with truthful appraisals beforehand. There must be a clear presentation of the costs of both the war in Vietnam and the wars on poverty, ignorance, and disease. There must also be an ordering of our national priorities so a sensible financing plan can be devised.

Mr. President, Peter Nagan presents an excellent overview of this whole problem in the Washington Post of August 18. I ask unanimous consent that the column be printed at this point in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

[From the Washington Post Aug. 18, 1967]

THE MONEY MARKET: TAX HIKE CALL FAILS TO LOWER INTEREST RATES

(By Peter S. Nagan)

It is now two weeks since the President issued his call for a tax increase, but so far the soothing effect on the bond and money markets has been minimal, and interest rates have not come down.

There is vast uncertainty as to what Congress will do about taxes, the true extent of increases in war spending, and the size of the deficit the Treasury will ultimately have to finance. Now, the latest evidence of a brisk business upturn is providing new cause for jitters.

The markets are skeptical as to whether a tax increase will alleviate the current huge demands for credit, as it is supposed to. They are only a little less nervous these days than they were before the President's request was unveiled.

The frosty reception the House Ways and Means Committee has given to top Administration officials in their efforts to sell the tax increase this week has not contributed to confidence.

The fact is that the President's tax request, and the supporting explanatory briefing that accompanied it, have raised more anxieties about the course of interest rates and credit availability than they have succeeded in allaying.

Money-market men fear that the cost of the war in Vietnam will exceed the January budget estimates by more than the $4 billion the President has indicated. They are also skeptical of Administration promises to cut non-defense spending by $2 billion or more.

What's more, they believe that the Johnson tax proposal will be whittled down and delayed until January. Thus, the deficit the country faces would be as high—even after tax action—as many feared it would have been in the absence of such measures.

On one hand, then, the market would be facing huge demands for money from the Treasury, on top of the large needs of a resurging economy. On the other hand, it is feared that the inflationary potential kindled by all this deficit financing will force the Federal Reserve to turn toward tightness. Credit would be harder to come by and today's already lofty interest rates would soar even higher.

Officials in Washington, including those at the credit controlling Federal Reserve Boards, are hoping that the market's gloomier expectations won't be borne out. They agree that the widely predicted business upturn is coming along right on schedule, and they are apprehensive about the stirrings on the price front that could accelerate as the upturn rolls along—especially if the tax increase is reduced and delayed. They are particularly fearful about the rise of a hard-to-check inflationary psychology that would lead to a scramble to increase prices.

But the hope is that expanding capacity, foreign competition, and even a slimmed-down tax package will curb over-exuberance. And some see a leveling in private needs for credit.

Also, they are more hopeful about the fiscal outlook than are market participants in New York. Official Washington is more prone to think that—this time—the President's spending estimates are more reliable; indeed, the White House may be overstressing the size of the deficit to help sell the tax increase to Congress. To be sure, the Treasury still has a tough financing problem, but it need not be insuperable.

Thus, the Federal Reserve may not rush to tighten money. There is some feeling that, after the Fed's constant calls for a better mix to ease the burdens on monetary policy, the new mix should be allowed to show what it can do. Officials know that tightening could make interest rates zoom and suck funds from banks and mortgage-lending institutions.

New York and Washington seem to be in some agreement about the outlook for interest rates over the next two or three months. Both are inclined to believe that long-term yields on bonds will not go up much more during this period; they could even ebb a bit. Short-term rates—on issues maturing in a year or two or three—are likely to go higher, though, as the full impact of the Treasury's borrowing hits.

But there is much doubt and confusion when one looks farther ahead—to the turn of the year and beyond. The evidence as to what actually may happen has rarely been skimpier and the outlook for credit and interest rates rarely murkier.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business, under the unanimous-consent agreement? If not, morning business is concluded.

AMENDMENT OF THE SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

The PRESIDING OFFICER. The Chair lays before the Senate the pending business, which will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2171) to amend the Subversive Activities Control Act of 1950 so as to accord with certain decisions of the courts.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

RECESS

Mr. HOLLINGS. Mr. President, I move that the Senate stand in recess subject to the call of the Chair, but not later than 2 p.m.

The motion was agreed to; and (at 1 o'clock and 9 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 1 o'clock and 56 minutes p.m., on the expiration of the recess, the Senate reconvened, when called to order by the Presiding Officer (Mr. HOLLAND in the chair).

THE AIR WAR OVER NORTH VIETNAM—LET THE PEOPLE KNOW

Mr. SYMINGTON. Mr. President, there is no one who believes more in civilian control than I; and if the decision of the top civilians of this administration has been and is against attacking many military targets located in North Vietnam, that policy should of course be followed by the military.

Unfortunately, however, it is becoming increasingly apparent that many people have been led to believe that all members of the Chiefs of Staff as well as the heads of CINCPAC have approved and do approve the heavy limitations against military targets over North Vietnam, as decided by the civilian heads.

Nothing could be more inaccurate. The Joint Chiefs and CINCPAC have never approved the target policy limitations on military targets that have been assigned to them by their civilian superiors.

Another point: I was glad to note that again yesterday the chairman of the Military Preparedness Subcommittee of the Senate Armed Services Committee emphasized that no subcommittee member had ever suggested air attacks against North Vietnam as a substitute for the ground war in South Vietnam. That strawman should now be laid to rest once and for all.

The position of every current member of the Joint Chiefs of Staff, as well as the thinking of people closely identified with the air operations in the Vietnamese theater, has now been presented to the Preparedness Subcommittee under oath; and in due course their testimony will become a matter of public record.

I would earnestly hope that all Senators, as well as all Americans interested in this problem, a problem so vitally important to the future structure of the military posture essential to the security of the United States, would refrain from reaching conclusions in this matter until they have had the opportunity to read the testimony in question.

In the meantime, there appeared in the Washington Evening Star of yesterday a constructive lead editorial entitled "McNamara's Credibility Gap"; and in the paper, on the same day, there was also a thought-provoking article by David Lawrence, "McNamara and the Vietnam War."

I ask unanimous consent that the editorial in question and the article in question be inserted at this point in the RECORD.

There being no objection, the editorial and article were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Evening Star, Aug. 28, 1967]

MCNAMARA'S CREDIBILITY GAP

In the published version of his statement last week on the bombing in North Vietnam, Defense Secretary McNamara said: "It is a matter of the greatest importance that the Congress and the people of the United States have a current and accurate picture of what the air campaign can and cannot accomplish."

We agree. But it does not necessarily follow that the American people will get a current and accurate picture of the bombing in North Vietnam from the censored version of the McNamara testimony to the Senate Preparedness Investigation subcommittee. Unquestionably, judging from the critical comments by both Democratic and Republican members of the subcommittee, there is another side to the story. This other side should also be made available to the American people.

The main thrust of the McNamara published statement is that the bombing, while

it can compel the North Vietnamese to pay a significant price for its invasion of the south, cannot be a decisive factor in the war—a war which he thinks must be won, if it can be won at all, on the ground in South Vietnam. McNamara says this would still be true if North Vietnam's three ports, Haiphong included, were to be closed by bombing or mining and if all other important military targets were to be knocked out. This strikes us as a dismal, if not a despairing, appraisal. But McNamara might be right in his belief that the bombing cannot be decisive unless we are prepared to destroy North Vietnam, including its major civilian population centers.

The President's bombing strategy—a strategy with which we have been in agreement—is that our objective is not to destroy or conquer North Vietnam but is, instead, to support the ground effort to the end that the aggression be stopped and that the South Vietnamese be enabled to make a free choice as to their own future.

The question is whether the bombing in the north serves this objective. Have major military targets, not including civilian centers, been declared off limits? McNamara says no. Subcommittee members of both parties dispute this, and they say that sworn testimony from our military commanders supports them.

So, going back to the McNamara statement that the American people should be fully informed on this issue, we think that the report which the Senate subcommittee will release in a few weeks should present as fully as possible both sides of this story—McNamara's and also the views of the military commanders who are responsible for the actual conduct of the war.

[From the Evening Star, Aug. 28, 1967]

MCNAMARA AND THE VIETNAM WAR

(By David Lawrence)

An astonishing revelation has just been made which adds a tragic chapter to the Vietnam war. Secretary of Defense Robert McNamara, in a formal statement to the Senate Armed Services Committee, has disclosed that the recommendations of the joint chiefs of staff have actually been followed only in part, and that he and his civilian advisers have determined what targets were to be bombed and how the war itself was to be fought.

The joint chiefs have not been permitted to see the President of the United States regularly and to argue directly the points of military strategy themselves. They have had to follow nevertheless the orders and judgment of the secretary of defense.

This is contrary to the assurances given the American people in 1947 when the three armed services were combined by law under the single jurisdiction of the Secretary of Defense. It means, in a nutshell, that the trained chieftains of the Army, Navy and Air Force are overridden at will by the Secretary of Defense and thus prevented from applying their military judgment in the operations necessary to win a war.

Sen. Stuart Symington, D-Mo., a former Secretary of the Air Force in the Truman administration, was so amazed by McNamara's testimony that he issued a statement declaring America should "get out of Vietnam at the earliest possible time, and on the best possible basis; because with his (McNamara's) premises, there would appear no chance for any true 'success' in this long war."

What hasn't been pointed up but probably now will be is the fact that the lives of many American soldiers, sailors and airmen have been sacrificed unnecessarily. For the military operation which could have been effective by an unlimited and unrestricted strategy of bombing has not been allowed. Thus, the casualties over a prolonged period have inevitably been larger than would have been the case if a concentrated series of air strikes on the targets had been made.

Unlike what has happened under previous administrations and in prior wars, the joint chiefs of staff are not being given the opportunity to present in person from day to day to the commander in chief their views of what should be done during the current war.

McNamara's statement outlined "the target recommendations of the joint chiefs of staff in relation to the objectives, and the extent to which the chiefs' recommendations are being followed." The document is largely an argument in which only one side—that of the secretary of defense—is revealed.

Symington now demands that the testimony which he heard the joint chiefs give previously to the committee should not be "too heavily censored" if it is made public.

McNamara discloses that, out of the 359 targets recommended by the joint chiefs for bombing, 57 "have not yet been authorized" and that he is of the opinion strikes against them "will not materially shorten the war." But his statement mentions that these targets include three "significant" ports, such as Haiphong, and four airfields, while five others are in the Chinese buffer zone. He argues that in some of these "the risk of direct confrontation with the Communist Chinese or the Soviet Union has thus far been deemed to outweigh the military desirability of air strikes." This is the excuse that has been offered officially from the beginning for a strategy of procrastination in fighting the Vietnam war.

The practical question arises, therefore, how any chiefs of the American armed services can possibly direct our fighting men to make supreme sacrifices when they know in their hearts that civilians with no real knowledge of what wins a war select targets for bombing operations.

The effect, moreover, of the declarations of strategy policy just made public could be to encourage the Red Chinese and the Soviets to issue exaggerated threats. Thus, through mere propaganda, they could cause the American military apparatus to be further paralyzed by civilian minds unaccustomed to the chances that must be taken if military operations are to be conducted successfully.

Maybe some of those members of Congress here who have been crying for an honorable withdrawal have known all along that the President has in reality delegated the responsibility for the conduct of the Vietnam war to a department secretary in his Cabinet—none of whose members are answerable directly to the American people.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (H.R. 5876) to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the Code.

ORDER OF BUSINESS

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Without objection, it is so ordered.

PANAMA CANAL—ARTICLE BY GEN. JAMES D. HITTLE

Mr. THURMOND. Mr. President, today the Republican policy committee luncheon meeting was privileged to hear from Brig. Gen. James D. Hittle, director for national security and foreign affairs of the Veterans of Foreign Wars. General Hittle is an expert strategist who is well acquainted with the Panama Canal and its importance to the security of the United States, and is generally recognized by the best authorities.

As evidence of this, I would like to make available to Senators a fine article which General Hittle was commissioned to do for Life magazine. You will note that this article was written 5 years ago; thus we can already test its predictions and the soundness of its analysis of the importance of the Panama Canal to U.S. defense.

For example, General Hittle pointed out in 1962:

The Russians are using the same combination of economic penetration, new shipyards, fishing fleets and naval presence (there was a build-up of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well as bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves on these narrow corridors they gain a tremendous advantage they never had before.

Mr. President, I ask unanimous consent that General Hittle's article entitled "The Grab for Narrow Waters" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE GRAB FOR NARROW WATERS

(By James D. Hittle, brigadier general, U.S. Marine Corps (retired))

(NOTE.—General Hittle, now director for National Security and Foreign Affairs of the Veterans of Foreign Wars in Washington, served during his distinguished Marine Corps career on U.S. battleships, with troops on Iwo Jima. He is an experienced analyst of global military developments.)

The sea, beautiful and rich and useful, is also a source of danger. For the moment, at least, the great powers seem to have stopped fighting bloody battles on her surface with shells or even torpedoes. And the advent of long-range nuclear bombers and 18,000-mph missiles flashing through space has diverted attention from the sea as a major battlefield in the classic sense. But the ocean remains a crucial factor in the defense of any nation whose shores are lapped by salty water.

The U.S. knows this well and has proved it with its fleet of Polaris submarines roaming the world with a nuclear deterrent that the enemy cannot keep in sight. The use of naval power to blockade Cuba and force the Soviet withdrawal of missiles is an immediate case in point.

But it is becoming increasingly and ominously clear that it is that old landlubber, the Soviet Union, that is now making the greatest strides in conquering the sea and that she is setting out, with tremendous energy and characteristic cunning, to turn it to her own use.

There is one shrewd project in particular

which the Soviets seem to be pressing ahead on. This, as the map above shows, involves a long-range scheme to gain control over the narrow waters of the world—that is, the key strategic corridors of the sea through which much of the world's shipping must pass. Some of the Soviet moves along this line are on the surface and already obvious. Other moves are more subtle and still inconclusive. If the scheme is carried out to its logical conclusion, it would provide a major economic and military threat to the West.

But to understand more fully what it is the Russians are up to here, it is necessary first to review their other significant seagoing activities.

In the last decade, huge fleets of the Soviet Union's fishing trawlers have broken away from the home coasts and made themselves at home off Cape Cod, Newfoundland, Alaska, France and Scotland. Just last month the Coast Guard had to chase Soviet trawlers out of U.S. territorial waters near Provincetown, Mass. And they so cluttered up the narrow French waters with their nets that the French fishing fleet went home in disgust. The trawlers do engage in fishing but they also have another big mission. Their masts are cluttered with highgrade electronics gear which allows them to double as communications ships and military intelligence centers. Russia's interest in the sea has grown so rapidly that in the past 25 years she has risen from 22nd place in world trade to sixth. In the last four years alone she has increased her merchant fleet's capacity from 2.7 to 3.4 million gross tons. And to break the ice which used to keep her ships landlocked during the long Russian winter, she has constructed a modern fleet of icebreakers—at least one of them nuclear-powered—that insures year-round sailing.

On top of all this, the Soviets have concentrated on their navy. At the end of World War II, Russia did not even rank among the great nations in naval power. Now she is second, having passed even Great Britain. The backbone of this young and therefore up-to-date force is a fleet of nearly 500 submarines. Considering the fact that Nazi Germany chopped up Allied convoys and almost cleared the seas with a starting force of only 57 U-boats, the Soviet figure is all the more formidable.

But there is more to the Soviet navy than its subs. Though Premier Khrushchev has sneered that surface vessels are obsolete, he still maintains a fleet of modern cruisers and destroyers and goes on building more. And he is outfitting many of these with guided missiles to increase their firepower.

So much for the evidence. What will Russia do with all this seapower? What are her intentions?

Two major patterns emerge. One is simple and easy to see because Khrushchev has stated it loud and clear. Speaking to an American visitor in 1957, he said, "We declare war on you—excuse me for using such an expression—in the peaceful field of trade." That is what all the merchants ships are for, to carry Soviet goods, machinery, building materials—and ideas—to all corners of the world where only ships could do the job so economically. To Africa, to South America, to Japan, to Western Europe, to places where the U.S. herself is so dependent on trade for her own welfare. The Soviet Union is of necessity becoming a great seapower because Soviet land power, which stretches from the Baltic to the Pacific, has almost reached its geographic limits. Any moves the Russians now wish to make to extend their influence to other continents must depend on seapower.

Ominous as it is, this pattern is ostensibly peaceful, and it is a logical development of Soviet growth which can be matched by strong economic competition. But it is the second pattern which is the most worrisome, simply because it is still rather ghostly, full of mystery and incompleted moves, and rife with the possibility of military, rather than economic, conflict. This is the narrow-water pattern which is illustrated with the map on page 83. The Soviets are using the sea in the same way they use every other form of activity—as a chessboard on which they can try to checkmate or outmaneuver the opposition as they themselves move forward. And, like good chess players, they are preparing each move with patience and foresight, willing to lose now for later gain.

The "narrow water" thesis is based on an analysis of Soviet moves so far. It goes like this: the seas are vast, but for reasons of economy, geography and navigational convenience, seagoing trade has settled down over the centuries along certain routes. The Nazis knew this well and plied along under these routes with their U-boats. At six key geographic spots around the world these routes come together. To avoid long time-consuming and fuel-consuming passages around huge land masses like Africa or South America, commerce is funneled through channels of water so narrow that sometimes not even two ships can pass. These six points of narrow water are the Suez Canal, the Panama Canal, the Strait of Gibraltar, the Straits of Malacca, the Skagerrak leading out of the Baltic, and the Dardanelles leading out of the Black Sea.

The last two points are not in the same category with the others as highways of world commerce. Both the Baltic and the Black Sea are virtually Soviet lakes and the possibility here is that it is Russian fleets that could be bottled up to prevent them from emerging into the Atlantic or the Mediterranean. But in each of the other four potential bottlenecks, the Russians are carrying out a series of moves which are so consistent in style and content that it is difficult to believe that they are mere coincidence.

Take the Suez. Egypt's Nasser now controls the canal. Nasser has accepted not only tremendous amounts of aid from the Russians to help him build his big Aswan dam and handle his Soviet MiGs and other military purchases, but he has also accepted a Soviet gift of several Russian submarines. To help him run them, the Russians, of course, send in Soviet sub experts and spare parts. This gives the Russians—for the time being, at least—effective control over the subs. They thus have a cadre on hand for an underwater build-up of their own which could be used in the future to seal off the canal or make its use impractical for anyone but the Soviet Union and its friends.

Just in case this is not enough to effectively cut off traffic from the Mediterranean to the Indian Ocean and then on to the Pacific, the Russians are wedging in at the narrows on the southern end of the Red Sea, to the south of the Suez, where they spent three years building a new port at Hodeida on the coast of Yemen. From the way things have been developing in Yemen, this seems to have been a neat package deal. Yemen got a fine port right on the narrow waterway, tons of new military equipment which was landed there even before the port was completed —and a revolution last September that overthrew the monarchy and seriously threatened the status quo in the neighboring oil-rich land of Saudi Arabia.

The Russians have also been busy at the other end of the Mediterranean, where Britain's Rock of Gibraltar has guarded the western gate to that huge inland sea for centuries. Here, so long as Gibraltar stands on one side of the bottleneck, the Soviets cannot at present plug up or cork the passage. But by establishing a commanding military position on the *other* side of the narrow corridor, they could at least imperil its free use in the future. And this is exactly what they are doing. As the U.S. moves its own bases out of Morocco under Moroccan pressure, the Soviets have already delivered MiGs, light arms, military vehicles, thousands of tons of ammunition—and are negotiating to build a new shipyard for Tangiers along with a sub base at Alhucemas Bay just 100 miles southeast of Gibraltar and 150 miles from the big U.S. naval base at Rota, Spain. The Algerian revolution is already clearing the French from the southern shores of the Mediterranean.

Since Soviet naval intrusion into the Mediterranean would dangerously expose the southern flank of NATO strength in Europe, the whole scheme is so logical that the Russians are either doing all this according to a deliberate plan or they have accidentally stumbled across a most astute strategic gambit. We should know by now, however, that the Soviets seldom do anything by accident. Some military observers have been heard to scoff at this thesis on the grounds that naval power moves of this kind are so conventional and old-fashioned in this nuclear age that the Russians could not possibly be considering them. "Let them try to seal off the Med," the answer goes, "and we'll either blast them out of the water or turn our missiles loose on Moscow." The answer—and the recent Cuban adventure bears it out—is that the Russians are sticking to their standard doctrine of making zigzag moves to advance wherever possible, withdraw when they are challenged and always avoid a major military collision. The grab for the narrow-waters fits in with this doctrine because it does not involve a single overt move of war, but consists simply of keeping on the move and exploiting all political and strategic opportunities that come along.

Cuba, of course, is another example of the same pattern being applied. Here, whether they have missiles and bombers on hand or not, the Russians are using the same combination of economic penetration, new shipyards, fishing fleets and naval presence (there was a build-up of Soviet subs in the Caribbean during the blockade) to get themselves positioned strategically near another valuable piece of narrow water, the Panama Canal. A naval base in Cuba could also help guard their routes to other Latin American countries as well and bring to an end the historic U.S. domination of the Caribbean. The important point of this thesis is not that the Russians will necessarily try to wage a hot war over any of these pressure points, but that by planting themselves, on these narrow corridors they gain a tremendous advantage they never had before.

One of the most important campaigns of all in this shadowy pattern is aimed at controlling the Straits of Malacca, the long, narrow passage between the Pacific and the Indian oceans and one of the great waterways of the world. Communist armies and guerrillas are hard at work trying to capture Southeast Asia in order to grab off the rich rice bowl and encircle India from the east. There is also another target—Singapore, one of the best-positioned naval bases in the world. There is already a power vacuum in this area between Singapore and Suez because of the virtual disappearance since World War II of British seapower in the Indian Ocean. This absence of naval force helps explain the flow of Communist power into Southeast Asia, and whichever nations fills this vacuum could easily dominate the entire area. The Russians are already at work in Indonesia, that vast archipelago which stretches from the Indian Ocean, past Singapore to the waters of northern Australia. Indonesia's boss, Sukarno, is a power-hungry man who likes to play with ships, so the Kremlin has given him four Soviet destroyers, eight large and modern patrol ships, a cruiser and two of its long-range "W"-class submarines. Whether Sukarno ever uses this navy in battle or not, all of his threatened neighbors know the ships are there, and they also know who controls them. The

Russians have thus set up a strong naval position in the area by proxy—with Indonesian crews and flags on the ships. In a cold war like this, the psychological advantage of a bold move such as this is enough to embolden our enemies and discourage our friends. The sea is, as always, an integral part of our defenses against the spread of Communism and it is still a likely battlefield, whether cold or hot.

At a NATO meeting in Paris last month, Vice Admiral Richard M. Smeeton, of the Royal British Navy, who is NATO deputy supreme allied commander, Atlantic, warned the delegates what the Russians were up to. The Soviet navy was "more modern than NATO's," he said, and it would not be easy against this new threat to maintain free access to the vital water routes on which the free world depended. He emphasized four routes, all narrow—the Strait of Gibraltar, the Suez Canal, the Straits of Malacca and the Panama Canal. "If we do not control the oceans," he said, summing up, "the Communists will."

Latest figures on the Russian Navy

Cruisers	22
Patrol vessels	245
Frigates and escort vessels	275
Fleet auxiliary ships (like tankers and transports)	200
Destroyers	165
Torpedo boats	1,000
Submarines	465
Minesweepers	1,000
Landing craft	120

WORLD HABEAS CORPUS AS A SOLUTION FOR THE TSHOMBE AFFAIR

Mr. THURMOND. Mr. President, for 7 weeks now Moise Tshombe, former prime minister of the Congo, has languished in an Algerian jail while the Congo and Algerian Governments have debated his fate. Considerable public sentiment has been aroused in this country. Indignent editorials have been written. Several distinguished lawyers and professors of international law have protested Mr. Tshombe's kidnapping, his detention and the curious trial held in Algiers which approved his extradition to the Congo where he faces certain death. There have been protests galore, but apparently no one has been able to suggest a solution to this outrageous situation short of severe political pressure brought to bear by this Government.

I say "apparently" for I have just received the full text of a remarkable document which was filed with the United Nations on July 27. It is a petition of world habeas corpus on behalf of Moise Tshombe which asks the U.N., that body which professes to live by law, to apply the rule of law and due process to the case of Moise Tshombe.

The petition was filed by Luis Kutner of Chicago, Chairman of the Commission for International Due Process of Law, chairman of the World Habeas Corpus Committee of the World Peace Through Law Center, and U.S. counsel for Mrs. Ruth Tshombe, wife of the former Congolese prime minister.

Mr. Kutner's petition asks the United Nations to create an ad hoc committee-tribunal to accept his writ of world habeas corpus and to inquire into Tshombe's detention, his so-called trial and conviction in the Congo, his deprivation of political asylum in Spain, and his kidnaping.

The petition also asks the U.N. to issue a writ of world habeas corpus requiring Algeria to show cause why the General Assembly should not order Algeria to set Moise Tshombe free and allow him to return to his legal asylum in Spain.

The entire petition is a lengthy document, and I suggest that those who wish a complete copy may contact Mr. Kutner at 105 West Adams, Chicago, Ill. At this time, however, I wish to call attention to the most interesting section from a legal standpoint, part VI, the argument. Those who read this section will see that the right of world habeas corpus does not depend solely upon what may be granted or implied in the U.N. Charter. The argument sets forth some excellent principles of international law. I, therefore, ask unanimous consent that part VI, along with the introduction and conclusion of this brief be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

UNITED NATIONS, EX REL., MADAM RUTH TSHOMBE, IN BEHALF OF MOISE TSHOMBE, PETITIONER, *v.* ALGERIA, THE CONGO, JOSEPH D. MOBUTU, PRESIDENT OF THE CONGO, SPAIN, AND THE UNITED KINGDOM, RESPONDENTS

To: The members of the General Assembly, Economic and Social Council, and Human Rights Commission.

PETITION OF MADAME RUTH TSHOMBE, FOR AND ON BEHALF OF MOISE TSHOMBE FOR A UNITED NATIONS WRIT OF WORLD HABEAS CORPUS

The Petition herein, the wife of Moise Tshombe, invoking the jurisdiction of the General Assembly of the United Nations under and by virtue of its Charter and the Universal Declaration of Human Rights, files this Petition for a United Nations Writ of World Habeas Corpus on behalf of Moise Tshombe, praying for the discharge of Moise Tshombe from his arbitrary and unlawful detention by the Respondent Algeria, which has subjected the said Moise Tshombe to extradition to the Congo for alleged common crimes; that the Respondent Spain assert its sovereign right of enforcing its granted political asylum to Moise Tshombe; that the Respondent United Kingdom assert its sovereign right to protect Moise Tshombe in the piracy of the overseas plane, charter-licensed under the laws of the United Kingdom, said plane guaranteeing passage to Moise Tshombe without unlawful interference by any other sovereign state, and in support thereof avers:

* * * * *

VI. ARGUMENT

It is the established law of extradiction in international law that a trial *in absentia* is not likely to be a fair trial. It is further recognized that a person convicted *in absentia* is not treated as a person convicted, but merely as a person charged. [*United States, Ex. rel., Argento v. Jacobs,* 176 F. Supp. 877 (1959); *Ex Parte Lamantia,* 206 F. 330; *Ex Parte Fudera,* 162 F. 591; Hackworth, *International Law,* 132 (1942).]

This distinction is based upon the belief, as guaranteed by the concept of human rights, that convictions *in absentia,* unlike other convictions, are so unreliable; that it is of no substance in ascertaining the proper guilt of the accused. Such a belief receives support from the reported cases concerning extradition of persons convicted *in absentia* [*Argento v. Jacobs, supra; Ex Parte Fudera, supra*] and from the feeling that one could hardly lack a reasonable doubt as to his guilt when he had not been given the right and opportunity to confront and cross-examine the prosecution witnesses.

The Tshombe case posed by the Petition for the Writ of World Habeas Corpus points up the fact that the extradiction in Algeria was not authentic but was merely a formal judicial method of ratifying an abduction by the Congo.

Right to fair trial in criminal proceedings is a human right

The right to a fair trial has been affirmed as a basic human right by the Universal Declaration of Human Rights and the American Declaration of the Rights of Man. It has been included as a key undertaking in the United Nations Draft Covenant on Civil and Political Rights and in both the European Convention on Human Rights and the Inter-American Draft Convention on Human Rights. The guarantee of a fair trial is also encompassed in the texts of the Nüremberg and Tokyo Tribunals and the NATO Status of Forces Agreement, 1951. Draft Conventions on State responsibility as prepared by the International Law Commission define a "fair trial" in customary international law in respect to the treatment of aliens. The requirements of a fair trial relate to the character of the court or tribunal, the public nature of the hearing, the rights of the accused in the conduct of his defense as well as other rules.

Both the United Nations and European texts require that the court be independent and impartial. [Art. 14(1), United Nations Draft Covenant; Art. 6(1), European Convention.] By "independent" is meant "independence" from other organs of government in the sense of separation of powers. The Court must not be subject to the control or influence of the executive or legislative. It must also be independent of private pressure groups. That a court must be impartial is a universally accepted doctrine. A trial must be conducted by a court established by law. Thus, illegally constituted *ad hoc* or special tribunals are prohibited. According to the Draft Covenant, the Court must be "competent" to have jurisdiction. The proceedings must have an element of "seriousness," i.e., the conduct of the trial must be in a manner befitting a court of law. [Chattin Case, U.S.-Mexican General Claims Commission, 1926–34, Opinions of Commissioners, 1927, p. 422, 4 U.N.I.R.A.A. 282.]

The right to a public hearing is guaranteed by the United Nations Draft Covenant and the European Convention on Human Rights. The press, however, may be excluded where such special circumstances occur as morals, public order or national security in a democratic society or when the interests of the private lives of the parties so require or to the extent necessary to serve the interests of justice but judgment should be pronounced publicly except as affecting juveniles, matrimonial disputes, or the guardianship of children. Where the interests of justice are involved publicity is to be restricted only to the extent strictly necessary and in special circumstances. The press may on occasion be allowed to remain where the general public is excluded.

Among the rights of the accused in the conduct of his defense recognized by the Draft Covenant and the European and Inter-American Declaration, is the right to be informed promptly and in detail in a language which he understands of the "nature" and "cause" of the charge or accusation against him. He must be informed of the offense he has allegedly committed and the facts upon which the allegation is based. [Ofner Case, 3 Y.B. 322, *Yearbook of the European Convention* on Human Rights; Nielson Case, 44 Y.B. 490.] The accused, is also entitled to the right to have adequate time and facilities to prepare a defense. This includes access to statements made by witnesses and police memoranda which are in the possession of the police and personal communication between the accused and his counsel where the accused is in custody. These declarations

guarantee the right of an accused to defend himself or to do so through legal assistance of his own choosing. The United Nations Draft uses the term "legal assistance" rather than "counsel" to make it clear that the accused has a right to representation not only by a lawyer but by anyone to whom he cares to entrust his case. The right to free legal aid is guaranteed. The accused has the right by all three Declarations to confront witnesses for the prosecution. He also has the right to obtain the attendance of and to examine witnesses on behalf of the defense. The accused has the right to have an interpreter if he cannot understand or speak the language used in court. The services are to be free. The United Nations and Inter-American Texts, though not the European text, provide that the accused cannot be required to testify against himself or to make a confession of guilt.

Other requirements guaranteed by these international Declarations include the "presumption of innocence" with the burden of proof on the prosecution with guilt to be proven beyond a reasonable doubt.

Article 14(2)(d) of the United Nations Covenant on Human Rights expressly guarantees an accused the right to be tried in his presence which makes explicit what is implied from rights of the accused to conduct his defense.

The United Nations text also recognizes the right of an accused person to appeal against his conviction to a higher court. The right is to be a review by a higher tribunal according to law. Appeal against a conviction is allowed even by a person who pleads guilty. The Inter-American and European Declarations do not so provide.

The 'right to a fair trial' also involves a residual meaning. It is possible for all the rules which can be formulated to be observed and yet for the trial to be such that a fair hearing is not given. An aspect of this is that the conduct of the court must be serious. The rights which are not mentioned may also be included as recognized by the European Commission on Human Rights in the *Nielson* case. [*Ibid.*, 4 Y.B. E.C.H.R. 490.]

Thus, the three human rights treaty texts define the right to a fair trial in criminal proceedings in full and basically satisfactory terms without any omissions. There is no mention of a jury trial but there was no pressure for its inclusion. The United Nations Text is the most complete. The remaining two, however, guarantee all the essential features of a fair trial, though the Inter-American Text does not require that the trial be made public. The three texts prove that it is possible to define the right to a fair trial in terms of sufficient legal precision to make a successful legal guarantee possible and to give states which accept it a clear understanding of what they are undertaking. There have been shown to be few points upon which seriously differing views have emerged as to what should be guaranteed. There is a common core of meaning of sufficient dimensions to permit a detailed statement of the scope of the right of fair trial which can command international consent. [D. Harris, "International and Comparative Law Quarterly," Vol. 16, p. 352–378.]

The obligation of Algeria

The question of extradition is affected by the fact that there is no extradition treaty between Algeria and the Congo. Therefore, the Algerian Government is not obliged to extradite Moise Tshombe. If Algeria does expel Tshombe to the Congo, it will be acting solely because of political considerations, probably prompted by anticolonialism and other esoteric reasons.

Though political considerations are always involved in international law making, states always seek a legitimate rationale for their actions. Algeria, in expelling Tshombe to the Congo would be acting wholly arbitrarily without regard for accepted international principles of justice.

In this case, Tshombe was kidnapped by Congo mercenaries from a plane under British jurisdiction bound for Spain in an act of air piracy and illegally brought to Algeria. The kidnappers did not take him directly to the Congo. Therefore, this case is distinguishable from the *Eichmann* Case and Ker v. Illinois [119 U.S. 436] where the accused was kidnapped and unlawfully brought before the state seeking to punish him.

Algeria has no jurisdiction whatever to try Tshombe for any offense. For it to expel him to Congo would mean for Algeria to be joining in the aiding and abetting of the kidnapping. Such an act would shock the human conscience. Moreover, there is a growing feeling, even in the United States that *Ker* v. *Illinois* may no longer be the law—that a state should not be permitted to try an accused unlawfully brought before its tribunal. But even with Ker, as an accepted international law principle, a state cannot, in international law, be permitted to participate in an act of kidnapping on behalf of another state. For Algeria to so act it would be committing an act which would be a crime under the laws of Britain in that the plane was of British nationality or perhaps under the laws of Spain. The proper procedure for the Congo to get at Tshombe was to seek his extradition from Spain, assuming that they have an extradition treaty with that country.

Conceivably, the Congo may claim that in kidnapping Tshombe it was acting in self-defense in that he may have been participating in plots of treason against the Congolese Government. Therefore, the Congo could assert a defense, vis-a-vis England and Spain, regarding the kidnapping. But this could be asserted were Tshombe brought to the Congo. He was brought, however, to Algeria and this state cannot assert the right of the Congo. Tshombe was not plotting against Algeria.

The Algerian Government may choose to expel him, but they may not expel him to a country where he was and will be deprived of his rights. In fact, they have no basis for detaining him. Tshombe cannot be said to have entered Algeria illegally because he did not enter by his own free will, nor has he violated any law of that country. The laws he allegedly violated are those of the Congo, and the judgment was not based on principles of fair trial. All states recognize certain elementary principles of justice which cannot be said to be true in the case of Tshombe. For Algeria to expel Tshombe, it would be acting in the manner of an outlaw state.

The essence of due process is that a state in depriving an individual of his liberty must follow certain stated procedures. Indeed, this is the very foundation of the rule of law. Where a state or its agents take an individual from his home, or off the street, and jail him or ship him to internment camp, or execute him, it is not acting according to legal principles, but according to the principles of the criminal underworld.

The United Nations Charter and the Universal Declaration of Human Rights were framed expressly to counter these actions. The United Nations cannot now tolerate such an act on an international scale. If Algeria sends Tshombe to the Congo it will be committing, or at least participating in the commission of an act of international lawlessness. The very validity of international law would be challenged and defied.

Algeria, as a member of the United Nations, must have an element of legitimacy for its actions. For that State to send Tshombe to the Congo simply because it does not approve of Tshombe's politics and is willing to aid and abet in a kidnapping and and in giving effect to a decision by a Congolese tribunal which completely ignored all elements of a fair trial would mean for it to expectorate in the face of the principles of legality.

Even if Algeria were to extradite him or send him to the Congo, a question may arise if the offense for which Tshombe was committed would have been punishable as capital crime in Algeria. The Congo wishes, *as announced,* to execute Tshombe.

The *Eichman* or the war criminal cases are distinguishable in that these persons clearly committed crimes against humanity, while Tshombe merely rebelled, participating in what is generally recognized as a political act. Moreover, the war criminals were all accorded a fair trial in the country to which they would be expelled, but this cannot be said for Tshombe. His acts were not contrary to the principles and purposes of the United Nations.

As a political refugee, Tshombe may well be entitled to a right of asylum under international law. He could assert this right in Algeria.

The obligation of Spain

Tshombe was granted a right of political asylum by Spain. International law recognizes the right of a state to grant asylum to a fugitive from another state. The fugitive is said to "seek asylum" when he makes use of the territory of another state or seeks to enter its territory. When that state permits him to make use of its terriory, such as in permitting him to reside within its jurisdiction, the said state is granting him asylum. The granting or withholding of asylum is a sovereign act.

Where a state has actual or constructive notice of the presence of the fugitive within its boundaries, and does not act to expel him, it may be said to have granted asylum. A state may also be said to have granted asylum by issuing a passport or a visa when the state is in transit, at least from a state other than that from which the fugitive is fleeing. Spain, for example, granted sanctuary and asylum to Spanish speaking Jews residing in North Africa during World War II even though these Jews had never lived in Spain, though their ancestors may have done so. The Nazis respected the rights of these Jews. On a similar basis, Spain could extend protection to Tshombe who was permitted to reside and granted asylum by the Spanish Government.

A state may limit its sovereign right to grant asylum by entering into extradition treaties. But a state will grant extradition only in accordance with established procedures and for specified crimes. The demanding state must present evidence to establish a *prima facie* case that the accused has committed the crime for which he would stand trial or, if he was convicted, that the conviction accorded with due process of law.

Where a state has granted asylum the fugitive is entitled to full protection as an alien—the right to life, liberty and property. He is entitled to the protection of his person. He may not be detained except in accordance with legal procedures. This protection extends to him as long as he is within the jurisdiction of the state granting asylum and as long as he chooses not to waive its protection. Even when the fugitive is outside the state, protection through diplomacy may be accorded him through the asylum state's making him a national or asserting his right to special sanctuary.

Thus, Tshombe was entitled to protection as long as he was within the jurisdiction of Spain. Spain could make representations on his behalf in that Tshombe did not waive the right to Spanish protection. Tshombe cannot be said to waive Spanish jurisdiction as he did not leave voluntarily. Though he left Majorca, he was in transit to Madrid. He was not leaving Spain even though the actual kidnapping occurred in the air over the high seas.

Though the actual plane kidnapping occurred outside of Spanish territory, Spain could claim that the conspiracy, or initial plan, actually occurred in Majorca or Iviza where the kidnappers boarded the plane. There are three views on jurisdictions

[Briefly, *Law of Nations*, 6th ed., 299–304]:

(a) No state may punish an action committed outside its territory and therefore in a place where its law is not in force. This theory could apply to Spain because the conspiracy occurred in Majorca. [*Ford v. U.S.*, 273 U.S. 593, involving enforcement of prohibition.]

(b) The action is directed against the security of the state. The kidnapping may be said to threaten Spanish security.

(c) Universal theory—crime wherever committed is a social evil. Usually limited to acts of foreigners committed abroad where prejudicial to state or nation. Under this theory Algeria could also try Tshombe.

Obligation of United Kingdom

Under the principle of the Lotus Case [Permanent Court Series A, Judgment No. 10], both Britain and Spain may assert jurisdiction. Britain could assert jurisdiction since the plane was British. A passenger on a British plane is entitled to protection under British law. If Tshombe had been in Britain, he could not have been deported summarily. The Congo could not have gotten at him without an extradition treaty. With such a treaty, the Congo would have had to file a claim, the Home Secretary would seek a determination and order him detained. His detention could have been subject to challenge by Habeas Corpus. Therefore, the kidnapping denied him due process of law. The rights of aliens extend to passengers on British aircraft. Britain could act for him in that as a passenger on a British plane Tshombe was entitled to British protection.

The joint obligation of Spain and United Kingdom

Every state has exclusive control of individuals in its territory. Thus, a state, e.g., Spain, has the competence to regulate the admission of aliens at will. It is free to admit any one it chooses to admit, even at the risk of inviting displeasure from another state. No state is entitled to exercise corporeal control over individuals in the territory of another state even if these are its nationals. Thus, the Congo could not exercise jurisdiction over Tshombe while he was in Spain. When the Congo seized Tshombe it acted in violation of international law. Several cases have recognized that seizure of individuals on foreign territory with the connivance of official authorities involves the state responsibility of the seizing state which is bound to return the individual who is seized. [29 A.J.I.L. 502 (1935) and 30 A.J.I.L. 129 (1936).] Hence, Spain or Britain jointly and severally could demand that Tshombe be returned.

A state may exercise its right to grant asylum without treaty; there is no legal obligation to surrender up a fugitive. But a state may do so at its discretion. Thus, absent a treaty, Algeria was not obligated to surrender up Tshombe. Generally, an individual illegally seized and brought before an American Court will, despite the presence of an extradition treaty, nevertheless be required to face trial. This at least is the general law. [Morgenstern, *Right of Asylum*, 26 B.Y.I.L. 327 (1948).] [Morgenstern, *Jurisdiction in Seizures Effected in Violation of International Law*, 29 B.Y.I.L. 265 (1952) and cases cited therein.] However, in many of the English cases, the Courts did not specifically hold that the seizure in fact was a violation of international law. Furthermore, a French Court of first instance has held to the contrary. The arrest was held to be null and of no effect whatever. [*Jolis*, Sirel (1934), Vol. ii, p. 103.] Courts in the United States have applied this principle to an analogous situation in holding that an individual must be given an opportunity to the place of refuge before he can be tried for an offense other than the one for which he was extradited, such as in the case of erroneous extradition. [*U.S.* v. *Rauscher*, 119 U.S. 407; *Fiscal* v. *Samper*, *Annual Digest*, 1938–40, Case No. 152.] Though traditional law asserts that individuals have no rights under extradition treaties and states even without a treaty may surrender a fugitive, but only if justice and due process prevail. However, the principle that rights, including the right of jurisdiction, shall not be acquired as a result of an illegality would seem to embody a requirement of justice of overriding importance.

The Courts should administer the law, not to the merits of each case, but to higher considerations of legality. It is the course American Courts have followed in adopting the exclusionary rule in search and seizure cases [*Mapp* v. *Ohio*, 86 S. Ct. 2684] and in cases involving the right of counsel [*Miranda*, 86 S. Ct. 1602] These principles are applicable regarding Tshombe. His guilt or innocence should be irrelevant. What is at stake are overriding problems of international legality. [Morgenstern, *supra*.]

Spain may demand of Algeria that Tshombe be returned to it. In its actions Algeria is aiding and abetting in a flagrant violation of international law. [O'Higgins, *Unlawful Seizure and Irregular Extradition*, 36 B.Y.I.L. 279 (1960).] The United Kingdom can assert the same right.

The right of asylum and the protection of fugitives is given additional dimension by the Universal Declaration of Human Rights and the United Nations Charter. These rights have been asserted particularly in regard to the political refugee and Tshombe may be placed in that category. Though the right of asylum was generally recognized as a foreign right of the state, many of the classical writers of international law regarded it as a duty of the state or natural right of the individual. The states were regarded as pursuing an international human duty in granting asylum—the *'civitas maxima.'* Today, this view is gaining acceptance as asylum has become of greater concern to the international community. The right is recognized by Article 2 of the Draft Declaration on Asylum adopted by the United Nations Human Rights Commission in 1960. [U.N. Doc. E/CN.4/804, p. 17.] Though the traditional view is that the granting of asylum is an exercise of the sovereign right of the state, the trend is toward the recognition of a legal right to asylum. The Universal Declaration recognizes that "everyone has the right to seek and enjoy sovereignty in other countries." An earlier version asserted that the individual had the right "to be granted" asylum. The right of asylum is also reflected in the American Declaration of the Rights and Duties of Man and has been embodied in the Constitutions or aliens legislation of a number of states including some states in Africa. [Weis, *Territorial Asylum*, 6 Indian L.J. 173 (1966).] Spain, in considering the United Nations draft in 1950 of the Declaration sought to make it clear that the final wording should assert that states were obliged to grant asylum. [E/CN.4/781, pp. 6–9; P. Weis, *Territorial Asylum*, 6 Indian L.J. 173, 180 (1966).] The United Nations and international law bodies have asserted the principle of non-refoulement, the protection of refugees against expulsion or return to a country where they fear persecution. The Assembly expressed this principle in the Refugee Convention of 1950. Related to this is the principle of non-extradition for political offenses. As the Universal Declaration and the Charter gain greater binding force the individual is given greater rights. The tendency is to provide more safeguards to the individual. Within this context, Tshombe may assert his rights.

Generally, a state may not arbitrarily expel an alien. Spain could not have arbitrarily expelled Tshombe. What Spain could not do was achieved by the kidnappers. [O'Connell, *International Law*, 769 (1963).]

The principle of "non-refoulement"

"The protection of refugees against expulsion or return ("refoulement") to a country where they fear persecution constitutes one of the essential elements of asylum. This protection has found expression in what has come to be known as the principle of non-refoulement, and has been embodied in treaty law. The international instruments relating to refugees adopted between the two world wars already contained provisions protecting refugees against measures of expulsion or return. [Arrangement relating to the Legal Status of Russian and Armenian Refugees of 30 June 1928 (paragraph 7) (League of Nations, *Treaty Series*, Vol. 89, No. 2005); Convention relating to the International Status of Refugees of 28 October 1933, Article 3 (*Ibid.*, Vol. 159, No. 3663), Provisional Arrangement concerning the Status of Refugees from Germany of 4 July 1936 (Article 4) (*Ibid.*, Vol. 171, No. 3952); Convention concerning the Status of Refugees form Germany of 10 February 1938, Article 5 (*Ibid.*, Vol. 192, No. 4461).] In the Resolution of the General Assembly of 12 February 1946, the Assembly laid down the general principle that 'no refugees or displaced persons who have . . . expressed valid objections to returning to their country of origin . . . shall be compelled to return to their country of origin. . . .' The principle of non-refoulement has also been embodied in the Refugee Convention of 1951. The provisions of the 1951 Convention which are of particular relevance as regards asylum are Articles 31, 32 and 33 which read as follows:

" 'Article 31—Refugees unlawfully in the country of refuge

"1. The Contracting States shall not impose penalties, on account of their illegal entry or presence, on refugees who, coming directly from a territory where their life or freedom was threatened in the sense of Article 1, enter or are present in their territory without authorization, provided they present themselves without delay to the authorities and show good cause for their illegal entry or presence.

"2. The Contracting States shall not apply to the movements of such refugees restrictions other than those which are necessary and such restrictions shall only be applied until their status in the country is regularized or they obtain admission into another country. The Contracting States shall allow such refugees a reasonable period and all necessary facilities to obtain admission into another country."

" 'Article 32—Expulsion

"1. The Contracting States shall not expel a refugee lawfully in their territory save on grounds of national security or public order.

"2. The expulsion of such a refugee shall be only in pursuance of a decision reached in accordance with due process of law. Except where compelling reasons of national security otherwise require, the refugee shall be allowed to submit evidence to clear himself, and to appeal to and be represented for the purpose before competent authority or a person or persons specially designated by the competent authority.

"3. The Contracting States shall allow such a refugee a reasonable period within which to seek legal admission into another country. The Contracting States reserve the right to apply during that period such internal measures as they may deem necessary.'

" 'Article 33—Prohibition of expulsion or return ("Refoulement")

" '1. No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.

" '2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particu-

larly serious crime, constitutes a danger to the community of that country.'

"Article 31 gives recognition to the fact that due to the situation in which a person fleeing from persecution may find himself, he may not be able to complete the necessary formalities to enable him to enter another country legally and for this reason should not be penalized for his illegal entry or presence, provided he presents himself without delay to the competent authorities. [Cf. Article V of the Convention on Territorial Asylum adopted by the Tenth Pan-American Conference, (Caracas), 1954. 'The fact that a person has entered the territorial jurisdiction of a State surreptitiously or irregularly does not affect the provisions of this Convention.'] Article 32 concerns measures of expulsion against refugees lawfully in the territory of a Contracting State to any other country, and stipulates that such measures may only be taken under strictly defined conditions, i.e., on grounds of national security or public order. The *travaux preparatoires* indicate that these words should be interpreted strictly and that measures of expulsion are only permissible if the circumstances of the case are so serious as to be incompatible with the refugee's continued residence in his country of asylum. [In a Judgment of 28 June 1956, the German Federal Administrative Court considered that an expulsion order against a refugee must be, in relation to the object to be achieved, the most appropriate method of maintaining or re-establishing national security and the public order (*Entscheidungen des Bundesverwaltungsgerichts,* Vol. 3, Case No. 95, at p. 358.] Article 32 also provides for certain procedural safeguards. Moreover both Articles 31 and 32 incorporate the notion of provisional asylum: in Article 31 as regards refugees whose status has not been regularized after their illegal entry and in Article 32 as regards refugees in respect of whom measures with a view to expulsion have been taken.

"Article 33 which prohibits the return of a refugee to a country where he fears persecution is one of the fundamental provisions of the Convention to which no reservations may be made. The *travaux preparatoires* give no conclusive answer to the question whether the prohibition of return in Article 33 is limited to refugees in the territory of a Contracting State or extends also to refugees who present themselves at the frontier."

[p. Weis, *Territorial Asylum,* Ibid.]

Yale Law Professor Myres S. McDougal, renowned international law scholar, asserts that World Habeas Corpus is a practicable measure for human rights. Professor McDougal says:

"In many contemporary national communities the writ of *habeas corpus,* or some equivalent, serves both as a substantive guarantor of that most basic of all human rights—personal liberty—and as an economic procedural strategy for the protection of this right. [Documentation of the widespread use of the writ or equivalents is offered in Kutner and Carl, An International Writ of Habeas Corpus: Protection of Personal Liberty in a World of Diverse Systems of Public Order, 22 U. of Pitt. L. Rev. 469 (1961).] In a letter recently published in the American Bar Association Journal Ambassador Goldberg has developed the theme that the 'idea of worldwide habeas corpus, internationally recognized and enforceable in an appropriate international court, can only be applauded by those who are dedicated to the rule of law and the attainment of lasting world peace.' [53 Am. B. A. 586 (1967).]

"As widespread as is this understanding of the inescapable interdependence of the protection of human rights and the conditions of peace, it is not generally expected that the proposed comprehensive new covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights [4 U.N. Monthly Chronicle 38 (1967).] will obtain the immediate acceptance of many of the major states of the world. The effective elites in our national communities are still too much the captives of syndromes of parochialism and expectations of violence.

Fortunately, however, the relatively limited prospects for the immediate implementation on a global scale of many of the more important substantive human rights may not be entirely paralleled on the procedural level. The policies implicit in the writ of *habeas corpus* are, for example, so fundamental to a decent human existence, and so universally demanded in diverse legal systems, that a concerted effort to institutionalize the process on a transnational scale could be regarded as more in the nature of consolidation than of innovation. Several factors would appear to contribute to the practicability of contemporary endeavors to move in this direction.

"First, and most important, is the fact, already emphasized, that the basic policy which *habeas corpus* is intended to serve is already widely accepted about the world: the right to personal liberty is commonly recognized, not merely in national constitutive prescription but also in authoritative international formulation, as the most basic and fundamental of all human rights. Thus, the much invoked Universal Declaration of Human Rights, adopted by the General Assembly of the United Nations in 1948, provides:

'Everyone has the right to life, liberty and security of person' (Article 3);

'Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law' (Article 8); and

'No one shall be subjected to arbitrary arrest, detention or exile' (Article 9). [See Schwelb, Human Rights and the International Community (1964) at 81.]

"Similarly, the proposed new International Covenant on Civil and Political Rights, drafted after many years of deliberation by the representatives of many different peoples, prescribes that 'Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such ground and in accordance with such procedures as are established by law' (Articles 9, S. 1). [The remaining sections of Article 9 amplify the prescription in this tenor;

" '2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.

"3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.

"4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a Court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is now lawful.

"5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.'

"Secondly, the agencies—courts or other institutions—to which competence might be accorded with respect to *habeas corpus,* or its equivalents, could be made as diverse as the realities of the contemporary world process of effective power may require. Provision could be made for international, regional, and national agencies, and states could be encouraged to accept responsibility to whatever agencies their internal power processes may permit. Any degree of acceptance of inclusive responsibility would be an advance over the present conditions of absolute irresponsibility. Happily, the United States offers, as Justice Brennan has documented, 'almost one hundred years of experience with the feasibility of a suprastate procedure' in the administration of *habeas corpus.* [Remarks of William J. Brennan, Jr. on "International Due Process and the Law," Law and Layman Conference, San Francisco, California, August 7, 1962.]

"Thirdly, the standards against which the lawfulness of detention is measured could be left as various, and open-ended, as states might demand. The long-term aspiration would of course be for the development and maintenance of standards approximating those of the bills of rights in the constitutions of mature national communities or of the Universal Declaration of Human Rights. [Alternatives among possible standards are indicated in Kutner, The Case For An International Writ of Habeas Corpus: A Reply, 37 U. of Det. L. J. 605 (1960).] Again, however, any degree of acceptance of inclusive international standards would be an advance over continued assertion of unilateral irresponsibility.

"Fourthly, the procedures by which hearing and release are sought could easily be accommodated in their detailed modalities, to all the relevant diversities in contemporary world culture. Just as equivalencies have been developed in states having common law and civil law traditions, so also equivalencies could be developed between the older and newer states. The important outcomes sought are those of hearing and, if merited, release; institutional practices require honor only as they may serve these ends.

"Fifth, and finally, the sanctions of public opinion would appear to be peculiarly efficacious for the enforcement of any commitments which states might make toward internationalizing *habeas corpus.* It has been demonstrated in a number of instances in recent years that even the most ruthless, totalitarian communities do not relish being spotlighted at the focus of world attention as deprivers of the most fundamental of all human rights.

"It was appropriately urged by the late Judge Hersch Lauterpacht that until 'an effective right of petition—which means a right of petition with the right to have it investigated with a view to such action being taken upon it as is necessary—is granted to individuals concerned or to bodies acting on their behalf, any international remedy that may be provided will be deficient in its vital aspect.' [Lauterpacht, International Law and Human Rights (1950) 287.] The provision in the Optional Protocol to the proposed Covenant on Civil and Political Rights [4 U.N. Monthly Chronicle 69 (1967).] for a limited right of individual petition, though a step in the right direction, is but a timid, halting measure, hemmed in by many restrictions. For the larger community of mankind genuinely aspiring toward improved implementation of human rights the proposal for internationalizing *habeas corpus* would appear to offer plausible hope for remedying the greatest defect in its present armory of institutional practices. Certainly the United States could have nothing to lose, save its reputation for indifference to the human rights program, by vigorous and positive action in exploration and promotion of the potentialities that inhere in the *habeas corpus* proposal. [A case for still more ambitious leadership by the United States in the whole human rights program is stated in McDougal and Leighton, The Rights of Man in the World Community: Constitutional Illusions versus Rational Action, 59 Yale L. J. 60 (1949); reprinted in McDougal and Associates, Studies in World Public Order (1960) 335.]"

The opportunity of the United Nations to implement human rights with a rule of law

The United Nations, the international organization established immediately after the Second World War to replace the League of Nations, ratified its Charter October 24, 1945. Since the first meeting of the General Assembly, in London, on January 10, 1946, the United Nations Charter, comprising a preamble and nineteen chapters, divided into 111 articles.

The Charter sets forth the purposes of the United Nations as the maintenance of international peace and security. The development of friendly relations between states and the achievement of cooperation in solving international economic, social, cultural, and humanitarian problems. It expresses a strong hope for the equality of all men and the expansion of basic freedoms. The basic freedom as implemented in the principle of article 9 of the Universal Declaration of Human Rights, "No person shall be subjected to arbitrary arrest, imprisonment or exile," enjoys the highest plateau of human rights importance.

Articles 55 and 56 of the United Nations Charter bind all the nations in solemn pledge to cooperate, to respect the human rights and dignity of men. The United Nations is obligated to preservation of peace, of avoiding aggression. *As the guardian of world peace, it is also the guardian of world-man.*

The working guardian of world peace is the Security Council which acts for the entire United Nations. Under the United Nations Charter there appears to be no occurrences dangerous to world peace with which the Council is not empowered to deal. The General Assembly and the Security Council each have the inherent power to make its own evaluation of the matters brought before them which may include "disputes," which may endanger peace if continued, and "situations" which may give rise to a dispute; "threats to the peace"—"breaches of the peace," and "acts of aggression" are some of the suggested categories.

The specific matter of human rights of any deprivation which invade the sovereignty of nations affecting human rights, such as impairment of the right of political asylum once having been granted, cannot be disturbed by kidnapping of the refugee, or by any acts of piracy in the air, on land, or sea affecting the refugee. Any act against a refugee, who has been granted political asylum, destroys international jurisdiction. It offends the invaded nation, devitalizes and denudes the historic right of political asylum which has existed for more than six thousand years.

The right of a state to grant asylum to a fugitive who demands protection is buttressed on the principle of sovereignty. The progress of civilization has established landmarks that asylum for alien fugitives is sacred and inviolate when the fugitive, if delivered up, might be put to death. The extension of hospitality and protection to a fugitive and the place where such protection is offered are the paramount virtues of territorial sovereignty.

A fugitive has no right to demand asylum of the state to which he flees. That state makes its own determination in each case. In international law, the granting of asylum to political refugees and victims of apparent discrimination, intolerance, and persecution has been the binding ligament for international law and order. Treaties of extradition between nations provide the mutual surrender of fugitives from justice; and justice must be based on "due process" or acts consistent with the conscience of mankind.

A sovereign state is a free and independent state. Sovereign states are sometimes said to be the only *subjects* of international law and that individuals are *objects* of international law, but these are obsolescent viewpoints. The absolute freedom of a sovereign state may be bridged by treaties or other obligations in current international practice. Sovereign states are not deemed free to wage war or take other hostile action at will against nations or individuals that make up the society of nations.

The chief purpose of the United Nations is to restrain such exercises and excesses of sovereignty, particularly in crimes against humanity, such as genocide or the deprivations of the rights of a single human being.

The law of nations, known as international law, has scrupulously respected the custom of granting political asylum. International law includes both the customary rules and usages to which states have given express or tacit assent and the lawmaking provision of ratified treaties and conventions. International law does not include the usages of courtesies and good will, which is termed international comity, and it is of grave concern of international law that comity tends to assume the status of law.

With the growing importance of human dignity and human rights in international law there has been a lessening of absolute national sovereignty in the common interest to protect the integrity and security of the individual. The inalienable rights of the individual to liberty, property, security, resistance to oppression, to freedom of speech, of the press, of worship, permeate the four corners of the Universal Declaration of Human Rights. These rights, as guaranteed by the United Nations, declare to the world that the equality of men and the sovereignty of people, on whom law should rest and to whom officials should be responsible, precludes acts of tyranny and obligates the United Nations to international and national justice.

Until the fabric of the Charter of the United Nations is put to a test by a petition for a United Nations Writ of World Habeas Corpus in behalf of Moise Tshombe (or any other person wrongfully detained and wrongfully deprived of his liberty), the world will never know whether international substantive law is an illusion or whether it is a reality that will preserve the liberty of an individual.

The United Nations, through its General Assembly and correlative organs can establish a vigorous precedent of complete respect for the United Nations Writ of World Habeas Corpus as a protector of civil liberty that characterizes United Nations authority. The world has now an International Assembly of Nations, International Court of Justice, International Covenant and Declaration of Human Rights, and International Bill of Rights, and other respected international conventions, agreements, and treaties.

What it now must have is an international Writ of World Habeas Corpus to enforce those rights that concern human liberty and human dignity.

The United Nations Writ of World Habeas Corpus served upon respondent nations ordering it then to comply therewith, and which failure to respond would invoke the coercive power of the Security Council and expose to world public opinion any nation that denied human freedoms or deprived an individual of his freedom without due process of law. The United Nations Writ of World Habeas Corpus would buttress the faith of the United Nations with citation of Security Council enforcement and efficiency.

The United Nations Writ of World Habeas Corpus can establish the keystone legal precedents that humane international law governs individuals; that the United Nations is internationally concerned that individual rights are paramount and cannot easily be nullified by a national government.

The United Nations Writ of World Habeas Corpus could establish the law and procedure for applying and enforcing the power inherent in the United Nations, the International Court, and the Security Council.

The United Nations Writ of World Habeas Corpus in behalf of Moise Tshombe can be the legal weapon whereby the United Nations can help a united world become a realistic law-abiding world community.

Without the Writ of World Habeas Corpus, the United Nations Charter and the Universal Declaration of Human Rights may exist merely as the product of naked power politics and not the honest impulse toward genuine world concern over all individuals.

The case of Moise Tshombe will not have been in vain if out of his suffering there is born a new international legal weapon for human liberty and dignity.

The United Nations must recognize that the function of a United Nations Writ of World Habeas Corpus is not to correct a practice, but only to ascertain whether the procedure complained of has resulted in unlawful detention. It must be aware that the impact of the procedure on the person seeking the Writ is crucial. If the challenged procedure can be said to have been corrupt and illegal *ab initio*, then all proceedings thereunder have made it unfair and have denied to that person, wrongfully incarcerated, due process of law.

The United Nations has made a contract with every human individual in being and to be on the face of the globe. It is a contract of great sanctity and must be given immunity from attack by any sovereign State that voluntarily accepts the obligations of Charter of the United Nations. The United Nations must militantly respond to that illegally sanctioned judicial plight of the human individual regardless of "race, age, color, or religion."

The United Nations must show its daring and its mastery. It must seize a great occasion to affirm its power of judicial review when it is alleged, under oath, that a human being has been wrongfully deprived of his human rights and human dignity by a nation not his own.

The United Nations must set a precedent for its judicial statesmanship.

The United Nations is going through the formative period of the world's political life as a family of sovereign nations and world individuals—a decisive move now will determine its later legal configurations.

Constrained diplomacy, the payments of ransom, timidity to call a signatory state to the bar of international justice, violates the concept of international due process. What counts alone is the just and prompt action of the United Nations. If it fails to act with vigor and dispatch, it thereby underwrites its ultimate dismemberment as a world influence. It has the advantage of working with the course of history.

The United Nations should have the vision to guarantee that a nation's judicial power is coextensive and interdependent with the rising scale of the worth of human dignity.

Moise Tshombe should and can be freed through a United Nations Writ of World Habeas Corpus.

* * * * *

VII. PRAYER

Wherefore, the Petitioner, Madame Ruth Tshombe, for and on behalf of Moise Tshombe, by virtue of the foregoing facts, jurisdictional averments, contentions, and arguments, respectfully moves this honorable World Assembly of United Nations to do the following:

(1) To honor a request for Resolution by the Human Rights Commission to create an Ad-Hoc Committee-Tribunal to accept the Petition for the Writ of World Habeas Corpus to inquire into the matter of detention and imprisonment of Moise Tshombe in Algeria, the trial and conviction in the Congo, the deprivation of political asylum granted to Tshombe by the Respondent Spain, to inquire into the deprivation of sovereignty of the United Kingdom by the air piracy kidnapping of British Overseas airplane chartered, franchised, licensed, and airrighted by the United Kingdom.

(2) To forthwith issue a United Nations

Writ of World Habeas Corpus requiring Algeria to show cause why the General Assembly should not order Algeria to forthwith set Moise Tshombe at liberty.

(3) That the Human Rights Commission request the Secretariat of the United Nations to place the Petition for the Writ of World Habeas Corpus for Tshombe and the Resolution for creating the Ad-Hoc Committee-Tribunal for World Habeas Corpus, on the *agenda* of the General Assembly forthwith.

(4) That the creation of the Ad-Hoc Committee-Tribunal of World Habeas Corpus be empowered as an appropraite organ for conducting inquiry and for the taking of evidence in this matter and be empowered to issue United Nations subpoenas and United Nations subpoenas duces tecum, so that all evidence, be it oral or wrtiten, records and documents, of all kinds and description, be produced in open hearings before the Ad-Hoc Committee-Tribunal of World Habeas Corpus.

(5) That it issue its Writ of World Habeas Corpus to Algeria to show cause why Moise Tshombe should not be enlarged to liberty and to proceed to Spain, his legal asylum.

(6) That by the Writ of World Habeas Corpus to direct and order the Respondent Algeria to produce at open hearing Moise Tshombe, and that he be given access to legal counsel of his own choosing and free will.

(7) That the General Assembly do any and all acts necessary and proper that it may determine meet and proper in this matter according to law and equity, international conscience, international human rights, as required by the United Nations Charter and the Universal Declaration of Human Rights.

Respectfully submitted.

MADAME RUTH TSHOMBE,
(For and on behalf of her husband, Moise Tshombe.)
(By Luis Kutner, Commission for International Due Process of Law, World Habeas Corpus Committee of the World Peace Through Law Center, duly authorized and agents in fact).

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEVELOPMENT OF MOLTEN SALT BREEDER REACTORS

Mr. BAKER. Mr. President, last December, before coming to Washington to take office, I had the pleasure of being escorted on a tour of the Oak Ridge National Laboratory. In addition to seeing many interesting things there, I was allowed to sit at the controls and start up the molten salt reactor experiment, which on that day began its first sustained run at power. This unique reactor—the MSRE—has its uranium fuel dissolved in a mixture of molten salts, and this liquid is pumped through the reactor at over 1,200° Fahrenheit, which is a red heat. The start-up in which I participated was a particularly exciting event because the MSRE may be the forerunner of a line of breeder reactors which gives to man very cheap and almost unlimited electric power.

As you may know, we are now entering on the age of nuclear power with startling speed. About 2 years ago, utilities began to buy nuclear powerplants at a rate which has resulted in orders being placed for plants that will have a combined capacity of over 45 million kilowatts. Included in this total are orders by TVA for three nuclear powerplants, each one of which will be capable of generating 1,100,000 kilowatts. TVA's purchase of two of these at one time for the Brown's Ferry station in northern Alabama was viewed by many as representing the conclusive proof that the age of nuclear power is here.

As a result of this surge of orders for nuclear plants, the Atomic Energy Commission has revised upward its earlier estimates of the rate of nuclear power growth. The AEC now predicts that in the year 1980—just 13 years from now—the nuclear powerplant capacity of the United States will be about 150 million kilowatts, which is well over half as great as the entire electric generating capacity of the United States today.

This nuclear revolution, the result of 20 years of development, will bring low-cost electricity to every part of the United States and, ultimately, to all parts of the world. The horizon, however, is not without a dark cloud. Uranium, as it is mined from the ground, contains less than 1 percent of the isotopes uranium 235. The rest—over 90 percent—is uranium 238. The reactors being ordered today obtain energy mainly from fission of the uranium 235, and most of the uranium 238 is discarded. As a result, they are able to put to use less than 1 percent of the uranium mined. This inefficient operation results in rapid consumption of uranium. While the earth contains a great deal of uranium, only limited quantities of it can be mined at low cost. Consequently, the rapid building of nuclear powerplants in the United States will result in the consumption of all the low-cost ore in a matter of 20–30 years, which is even before the reactors now being built have ceased to be used. If this inefficient operation continues, the cost of uranium will go up and the cost of power will begin to rise. This great energy source will then cease to provide us with low-cost electricity on which we will have come to depend.

Fortunately, there appears to be a way out of this difficulty—the development of breeder reactors which produce more fuel than they consume. There are two types of breeders, those that convert thorium into uranium 233, which can then be fissioned to generate energy, and those which convert uranium 238 into plutonium, which also can be fissioned. Since breeders do not waste any of the uranium or thorium, the cost of the ore adds very little to the cost of electricity. If breeder reactors can indeed be achieved, there is sufficient uranium or thorium to provide us with low-cost power for limitless generations.

Now that the goal of economic nuclear power has been attained, the Atomic Energy Commission is turning its efforts toward the development of breeders and addressing itself properly to the efficient utilization of nuclear reactor fuels. The major emphasis at the moment in the AEC's program is on fast reactors, which use uranium 238, and there is a very large and growing program directed toward achieving workable, safe, and economic fast breeders. There is also another and equally promising route to breeder reactors using a system which up until recently had received little attention outside of the State of Tennessee. I am referring to molten salt reactors, such as the MSRE that I mentioned earlier. These reactors would bred fuel from the very large resources of thorium that are available. The advocates of molten salt reactors, led by Dr. Alvin Weinberg, the Director of the Oak Ridge National Laboratory, believe molten salt breeders will be capable of producing electricity in investor-owned powerplants at less than 2.7 mills per kilowatt-hour. In publicly owned systems, such as TVA, they will be able to produce electricity at less than 1.5 mills per kilowatt-hour.

An important advantage of molten salt breeders is that they require less than one-third as much fissile uranium to start them up as do fast breeder reactors. In addition, molten salt reactors appear to have inherent features which give them important safety advantages over fast reactors.

Molten salt reactors are not new, although they are just beginning to receive much attention. Oak Ridge National Laboratory first began work on molten salt reactors 17 years ago, when the objective was to develop a compact nuclear powerplant for aircraft propulsion. A molten salt reactor, the aircraft reactor experiment, was operated at Oak Ridge in 1954 with salt temperatures of over 1,500° F.

In the late 1950's, Dr. Weinberg and his staff concluded that this technology, although first developed for military aircraft, would be valuable for civilian power generation, and in 1961 they began construction of the MSRE to demonstrate its feasibility. When I arrived at ORNL last December, the MSRE had been through its initial tests and was ready for sustained operation. The run which I began continued for a month at full power without interruption. The reactor has since been operated for longer periods, and it is being used at present for experiments on the chemistry and other features of the molten salts.

Now that the MSRE has given convincing demonstration of the feasibility of this concept, it is time to proceed with the next step toward the development of molten salt breeder reactors—the construction of a molten salt breeder reactor. Oak Ridge National Laboratory is proposing a program in which a breeder reactor having 20 times the power of the MSRE would be built. They plan to seek authorization for construction of this experimental reactor in 1969—fiscal year 1970—and would expect to have it in operation by 1975—fiscal year 1976. Construction of the reactor and an accompanying program of research and development lasting 8 years are estimated to cost $130 million.

The molten salt breeder experiment would actually convert thorium into uranium 233 and breed more fuel than it consumes. While smaller than commercial-size reactors, this reactor would still be large enough to demonstrate all of the features of the concept. After successful operation of the breeder experi-

ment, it would be possible to proceed to economic-size reactors by normal improvement in processes and scale-ups in size.

It is clear to me that this program must be supported, and supported adequately. The total cost of the molten salt breeder experiment is small compared to the billions and billions of dollars which will be saved in electricity bills if breeders can be brought into operation before our low-cost uranium is exhausted. To give you a feeling for the sums involved, most projections show that the cost of uranium ore may double by the end of this century. Doubling the ore price would add about $2 billion per year to the Nation's electricity bills in the year 2000 if only reactors of the types being built now were available, and rapidly increasing amounts would be added in subsequent years. Hence, the stakes are enormous, and we must move rapidly to invest in breeders now in order to avoid the large costs we could incur if breeders are not developed in time.

We are already spending large sums on fast reactors—over $80 million per year—and the Atomic Energy Commission expects that well over a billion dollars will be required before fast reactors become economic. I agree with the Atomic Energy Commission that fast reactors should be pursued, but there are a number of eminent scientists who are doubtful that economic fast reactors will be developed by the time they are needed.

The success of the molten salt reactor experiment and the outstanding promise of molten salt breeders argue strongly for the support of the program proposed by Oak Ridge and for the establishment of a two-breeder, two-fuel program—one to efficiently use the uranium and the other the thorium in the earth's crust. At a minimum, this would provide us with a backup for fast reactors. Dr. Weinberg maintains, however, that the molten salt breeder is far more than a backup—that it could well be the best and least costly approach to nuclear power for the future. If he is correct, and there are strong arguments that he is, the MSRE run that began last December will lead to a system that can supply low-cost energy to the expanding populations of the United States and the world for hundreds of years.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DIRKSEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to query the distinguished majority leader about the schedule for today and, if possible, for the balance of the week. And, in connection therewith, I think it is generally known that we had set for consideration at this time the bill, S. 2171, amendment of the Subversive Activities Control Board Act of 1950.

I am prepared to proceed with consideration of the bill, of course. However, I always like to defer to the judgment of the majority leader in matters of this kind, knowing that he has difficulty in scheduling measures that should come before the Senate.

I just make a general inquiry as to what our schedule will be.

AMENDMENT OF SUBVERSIVE ACTIVITIES CONTROL ACT OF 1950

Mr. MANSFIELD. Mr. President, first, I ask unanimous consent that the pending business be laid aside and returned to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I have requested this action in view of the intense interest I understand exists among a number of Senators with respect to this measure. Keeping in mind also the brief adjournment that is scheduled to follow Labor Day.

I will outline, in response to the request of the distinguished minority leader and based on our best information at this time, the schedule for the balance of this week and the weeks ahead.

The Senate will convene at 10 o'clock tomorrow morning to consider the nomination on the Executive Calendar. It had been hoped that, following that nomination, we could take up H.R. 9960, the independent offices appropriation bill. However, because of circumstances beyond the control of the leadership, it will not be possible to consider that measure until the latter part of the week of September 11 or the first part of the week of September 18.

Immediately following action on the nomination, we will consider items that may be disposed of by unanimous consent. Before the Senate adjourns for Labor Day, the leadership intends to lay before the Senate Calendar No. 500, S. 1880, a bill to revise Federal election laws and for other purposes, reported by the Committee on Rules and Administration on August 16, so that it will be the unfinished business when the Senate returns on September 11.

Also, on September 11, there will be a record vote on the Treaty of Amity with Thailand, at 2 o'clock in the afternoon.

On Tuesday, September 12, H.R. 10738, the defense appropriations conference report, will be considered, and it is very likely that there will be a record vote on that conference report.

Following the disposition of that matter and, if possible, between the votes on the treaty and the defense appropriations conference report, the Senate will consider two bills reported today by the Committee on Banking and Currency—S. 1985, the National Flood Insurance Act, and S. 510, the Corporate Equity Ownership of Securities Act.

In the week of September 18, H.R. 12257, the Vocational Rehabilitation Act is expected to be reported by the Committee on Labor and Public Welfare and will be ready for consideration at that time.

It is quite possible that during the week of September 11, or early the following week, the Ervin bill, involving constitutional rights for Federal employees—S. 1035—about which there has been some discussion on the floor both yesterday and today, may be ready for consideration. We hope that if it is not ready for consideration in the first week, it will be ready the second week after the Senate returns if conditions have cleared up. Also, during that time, S. 2171, the amendments to the Subversive Activities Control Act of 1950, may be considered.

It is possible, too, that in the latter part of the week of September 11—I am repeating what I said before—H.R. 9960, the independent offices appropriation bill, will be considered and, if not then, no later than the first part of the week of the 18th of September.

Mr. ALLOTT. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. ALLOTT. Mr. President, with respect to H.R. 9960, the independent offices appropriation bill, as I understand the situation, because of the technicality of the rules, it would be impossible to take up this matter before Saturday of this week under any circumstances, so that due to the Labor Day adjournment that measure must, of necessity and under all circumstances, go over until the week of September 11 or later in September.

The distinguished majority leader has indicated that it will be in perhaps the latter part of the week of September 11 or the first part of the week of September 18.

Mr. MANSFIELD. The Senator is correct.

Mr. ALLOTT. I thank the distinguished majority leader very much.

Mr. MANSFIELD. The rule is as the Senator has described it. And the leadership has no choice in the matter. Hence, the leadership has made the announcement which has been corroborated by the ranking minority member of that committee.

That is the schedule for the weeks ahead, may I say to my distinguished friend, the minority leader, insofar as it can be determined at this time.

I would advise the Senate that following tomorrow the schedule is light until the Labor Day adjournment. However, there will be votes on Monday and Tuesday, September 11 and September 12, and all Senators are on notice that these will be record votes.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. HOLLAND. Mr. President, I am sorry that I arrived in the Chamber a little late. Did the distinguished majority leader make note of any votes this week?

Mr. MANSFIELD. Tomorrow we will have before us the nomination on the Executive Calendar, of course.

Mr. HOLLAND. The Senator means the nomination of Thurgood Marshall?

Mr. MANSFIELD. The Senator is correct.

Mr. HOLLAND. I thank the majority leader.

Mr. DIRKSEN. Mr. President, I have one further question to address to the distinguished majority leader.

My understanding is—whether correct or incorrect—that when the Senate considers the resolution to cover the Labor Day adjournment, it will become effective as of this Thursday night.

Does that square with the intention of the leadership?

Mr. MANSFIELD. The Senator is correct.

ADJOURNMENT OF THE TWO HOUSES FROM AUGUST 31, 1967, TO SEPTEMBER 11, 1967

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 497.

The PRESIDING OFFICER laid before the Senate, House Concurrent Resolution 497, which was read, as follows:

H. CON. RES. 497

Resolved by the House of Representatives (the Senate concurring), That the two Houses shall adjourn on Thursday, August 31, 1967, and that when they adjourn on said day they stand adjourned until 12 o'clock noon on Monday, September 11, 1967.

Mr. MANSFIELD. Mr. President, I move that the Senate agree to the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

AUTHORITY TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS DURING ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on House Concurrent Resolution 498.

The PRESIDING OFFICER laid before the Senate House Concurrent Resolution 498, which was read, as follows:

H. CON. RES 498

Resolved by the House of Representatives (the Senate concurring), That notwithstanding any adjournment of the two House until September 11, 1967, the Speaker of the House of Representatives and the President of the Senate be, and they are hereby, authorized to sign enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

Mr. MANSFIELD. Mr. President, I move that the Senate agree to the concurrent resolution.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COTTON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

COLLEGE PROVES FEDERAL AID DROPOUTS SUCCEED

Mr. COTTON. Mr. President, in the Chicago Tribute of Sunday, August 27, 1967, appeared an article by Chesly Manly, a well-known reporter, entitled "College Proves Federal Aid Dropouts Succeed—'Declaration of Independence' Gives Hillsdale Revoluntionary Role."

I believe this article is a foretaste of what may come to higher education in America if we continue in our headlong course toward Federal support and Federal control of education.

I ask unanimous consent that the article be printed at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COLLEGE PROVES FEDERAL AID DROPOUTS SUCCEED—"DECLARATION OF INDEPENDENCE" GIVE HILLSDALE REVOLUTIONARY ROLE

(By Chesly Manly)

HILLSDALE, MICH., August 26.—Hillsdale college, which rejected federal aid in a "Declaration of Independence," adopted in 1962 and reaffirmed in 1966, is flourishing with the support of friends who admire its commitment to freedom and self-reliance and all the great ideals and achievements which constitute the American heritage.

Hillsdale's president, J. Donald Phillips, is proud of the college's success since he came here in 1951, but he is by no means complacent about the future of this country's independent colleges.

Hillsdale and a few other schools which have refused federal aid are free from the threat of government control. As President Phillips said in an interview, however, the government could put these colleges out of business by abolishing income tax deductions for contributions to education by individuals and corporations.

SOME FAVOR ABOLITION

Many leaders of the education establishment in this country, particularly in the United States office of education and the National Education association, favor abolition of the tax-deduction privilege because they are opposed in principle to the privately supported, independent colleges. They regard these colleges as centers of special privileges for the more favored classes, anachronistic and undemocratic, if not un-American.

Phillips noted that when President Johnson was asked to support a proposed tax credit plan for higher education, this was the written response:

"The position of this administration is to advocate direct use of federal resources to meet specific educational needs, rather than to support possible assistance thru indirect means such as a tax credit plan."

FOUR BILLION A YEAR

The federal government already is spending more than 4 billion dollars a year on education. A possible explanation for this "avalanche of governmental largess," Phillips said, is that the government desires "to move directly toward a centrally controlled society—taxing, collecting, disbursing—to carry out its good or not-so-good plans."

As early as April 13, 1961, Phillips recalled, the report of an office of education planning committee, stamped "administrative, confidential," mentioned "broadening of federal interest in curriculum and in the improvement of instruction" as one of the government's concerns for the future.

In March of this year the defense department threatened to cancel its contracts with the University of Michigan unless it hired more Negroes for campus jobs, appointed more Negroes to faculty positions, and enrolled more Negro students.

HIGHER THAN PROPORTION

A survey disclosed that the percentage of Negroes employed and enrolled as students at the university was higher than the Negro proportion of the state's total population. When the university asked what percentage of Negro representation the government would consider desirable, it could get no reply.

Nothing was said by the government about the availability of qualified Negroes for greater representation in the university, or what would happen to its standards if it adopted such an open door policy.

Phillips said he had heard reports that the government already is looking into history and social science textbooks to see whether they conform to the current liberal orthodoxy. Whether these reports are true or not, he remarksd, government support of educational institutions inevitably will be followed by government control of everything they teach.

CALLS LEADERS DEPENDENT

"The entrance of full-scale support by federal aid has created dependent educational leaders and will create more," Phillips said. "Independent thought and effort cannot be taught by scared, dependent men."

Phillips, an ex-officio member of Hillsdale's board of trustees, was the prime mover of the board's "Declaration of Independence." It declares that the college, founded in 1844, was dedicated and has remained faithful to "an educational philosophy embracing America's basic ideals."

It declares that Hillsdale students have been taught, among other fundamental truths, that "our country's greatness is the result not of government benevolence but rather of individual initiative and enterprise" and that "responsibility is the counterpart of independence."

Acknowledging that independence of federal aid involves "the possibility of failure," the declaration says the "trustees place their trust in God and in the dedication and generosity of students, alumni, and friends who share their views."

HEAD OF ADULT EDUCATION

Phillips had been director of adult education at Michigan State university for six years when he became president of Hillsdale in 1951. His experience as a consultant to business management and his free enterprise philosophy, as well as his background as an educator, commended him to Hillsdale's conservative board of trustees, headed by Ralph C. Rosecrance, of Rockford, Ill., president of the J. L. Clark Manufacturing company.

In a survey of what high school seniors know and believe about American business, Phillips had found evidence of widespread and growing prejudice against the profit system, as well as appalling ignorance of the way it works. As a result of this discovery, he decreed that all students at Hillsdale must take one three-hour course in the principles of economics and two three-hour "American heritage" courses.

GIFT FINANCES CENTER

Another Phillips innovation at Hillsdale is its 1.5-million-dollar Leadership Development center, financed mainly by a gift from the Herbert H. and Grace A. Dow foundation, which has been described by the Dana Corporation of Toledo as "one of the finest educational facilities of its kind in the world."

Some business firms, such as Dana, send management personnel to the college for special courses taught by its faculty and others use the facilities of the center for conferences and training programs of their own.

The center has 32 guest rooms with twin beds, four executive suites, dining rooms, seminar and conference rooms, and an auditorium with swivel chairs and other equipment designed to "facilitate "group communication" as conceived by Phillips. There are seats behind one-way glass walls from which students can see and hear business leaders engaged in discussing and solving problems of their companies.

NEW STUDENT CENTER

The leadership development center is connected with Hillsdale's new million-dollar student center and dining hall, to promote

rapport between students and business leaders. In spite of this business orientation, however, Hillsdale essentially is a liberal arts college, with the standard requirements for admission and for graduation with the bachelor of arts or bachelor of science degree.

Its 63-member faculty has predominantly a liberal philosophy and almost all speakers in its annual lecture series are certified liberals.

Hillsdale admits a good many students who could not get into Oberlin or the University of Chicago and its median SAT [scholastic aptitude test] scores for the four categories [men's and women's verbal and men's and women's math] range between 500 and 550, instead of 600 plus, as in some of the more selective colleges.

SELECTIVE ADMISSION POLICY

Yet its admission policy definitely is selective, for only about one in four applications received are approved and many students who seek admission are persuaded to save the $10 it costs for a formal application.

Hillsdale puts more emphasis on leadership potential than on academic aptitude. Phillips said he would rather have a good "C" student who had been a campus leader in high school than an "A" student who had not been a leader. The college gets its share of high school "A" students, however, and many of the "late bloomers" who have not done so well in high school do better than average work before they finish at Hillsdale.

About 44 per cent of the graduates go directly into graduate or professional schools and many others continue their education after military service. About half of the graduates have teacher certificates but not all go into teaching.

LAST YEAR, 1,086

Hillsdale's enrollment last year was 1,086 and Phillips would like to keep it at a maximum of 1,100. For a small liberal arts college, the geographical distribution of its students is unusual. About 69 per cent come from states other than Michigan and 7 per cent come from foreign countries. Last year 39 states and 24 foreign countries were represented.

Hillsdale does not release information about faculty salaries but it pays well enough to prevent a large turnover. This year two are retiring, three are taking other jobs, one is leaving to get married, and three are leaving because their tenure was not approved.

Hillsdale raised only $12,800 from outside sources in the year before Phillips became its president. Its endowment was only $750,000. Now it must raise $400,000 a year from outside sources to meet operating costs, allowing nothing for capital investment, and its endowment totals 4.5 million dollars.

Its operating budget, now more than 2.5 million dollars a year, has been balanced for 11 years. Tuition, fees, room and board next year will cost $2,414 for men and $2,370 for women.

A total of $10,290,247 was raised in the first three phases of Hillsdale's master plan [1957 thru 1966] and it is well on its way toward a goal of $8,740,000 for the current fourth phase [1966–69]. The goal for the next three phases [1969 through 1978] is $16,380,000.

WANTS NEW LIBRARY

Phillips is seeking a million dollars for a new library, with room for 100,000 books, faculty studies, and other facilities. The present library, with 50,000 volumes, will be retained and renamed the American Heritage library.

Among other Phillips achievements are new dormitories for 194 men and 176 women, which the college financed for $2,980 a bed on a 20-year amortization basis.

The same facilities, under the Government's standard plan, would cost $4,500 a bed on a 40-year amortization basis.

E. C. Hayhow, publisher of the Hillsdale Daily News and one of the college's trustees, is an alumnus of a large state-supported university.

He says it is a privilege to serve on the board because of Hillsdale's emphasis on the liberal arts concept and basic tenets of Americanism which he says are de-emphasized in other educational institutions.

TAX INCREASE WILL NOT STOP COST-PUSH INFLATION

Mr. PROXMIRE. Mr. President, today's Wall Street Journal reports that color TV prices were raised 2 to 3 percent by Radio Corp. of America on most of its 1968 model sets, effective September 1. The article goes on to say that Motorola and Zenith are studying the possibility of raising color TV prices. The article indicates that some industry observers reported that the increases are coming at a time when sales are running far below expectations. Indeed, reduced demand resulted in price reductions by several companies when the 1968 models were introduced in June.

There is a whole lesson in economics in this story—the problem of cost-push inflation. It is a fact of economic life that the general market economy, as we conceive of it traditionally, does not prevail at all in a large part of the market. A substantial proportion of our prices are set by administrative decision. These decisions are usually based on wage costs and considerations of company finances and profits. Frequently they ignore the demand factor. Today's story is a case in point. In the face of falling demand, a large company in an important durable goods industry is choosing to raise its prices. Classical economics teaches us that prices should drop when demand drops. This may be true in the relatively free market that affects certain agricultural commodities or raw materials, but it is certainly not true in respect to many of our manufactured commodities.

Because price movement is independent of general consumer demand in this sector of the economy, it is misleading and harmful to reduce consumer demand as a result of price increases. And yet this is precisely what the tax increase would do.

I have predicted that we will have price increases such as the one reported today and that they will raise the price index throughout the rest of the year. But I completely disagree with those who argue that these price increases are a result of excess consumer demand. If we make the mistake of reducing consumer demand and stagnating the economy in order to forestall price increases, it will be a tragic mistake. For the price increases will go on in any case, and we will have much higher unemployment for no good purpose at all.

Along the same line, Mr. President, the threat of inflation has been used as the principal reason for the administration-proposed tax hike. Sharp consumer price rises in July are, I am sure, being used to buttress the case for the tax increase.

But any careful and responsible analysis of that price rise suggests why it is not primarily fueled by excessive demand, and why, therefore, a tax increase is not a logical response to it.

Food prices will not be held down by a tax increase, and most service prices are also insulated largely from demand pressures.

The Consumer Price Index rose .04 percent from June to July. Increases in food prices contributed about 46 percent of the rise in the total index, and increases in service prices above 35 percent. Price advances from June to July were registered in most categories of the index.

In the last 6 months—January–July—the CPI increased 1.6 percent compared to 2.1 percent in the same period a year earlier. All items except food were up 1.7 percent this year compared to 1.9 percent last year. Service prices were up 1.9 percent, compared to 2.6 percent in the same 6-month period in 1966.

From January to July, increases in service prices contributed about 42 percent of the total advance, and commodities, except food, another 45 percent.

The wholesale price index rose 0.2 percent from June to July, but fell 0.4 percent from July to August. Prices of industrial commodities advanced 0.3 percent after a period of stability from February to July. Although this is an important indicator of inflationary pressure, it is important to note that 1 month does not make a trend; and industrials are only 1 percent above a year ago.

July data indicate that mixed price developments are continuing within the industrial sector. Prices of industrial finished goods have been increasing; relatively stable in the case of intermediate materials; and falling in the case of crude materials. In general, these developments may be explained by the higher labor content in value added as products reach advanced stages of fabrication.

I ask unanimous consent that a table which shows the relative price changes in recent years for food, items except food, services, and commodities except food, be printed at this point in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

CONSUMER PRICE INDEX PERCENTAGE CHANGES OVER SELECTED PERIODS

	All items	Food	All items except food	Services	Commodities except food
January–July 1966	2.1	2.6	1.9	2.6	1.3
January–July 1967	1.6	1.1	1.7	1.9	1.7
June–July 1966	.4	.4	.4	.5	.3
June–July 1967	.4	.8	.3	.4	.2

AMERICAN MOTORS IS POISED TO TURN THE TIDE

Mr. PROXMIRE. Mr. President, Newspaper Enterprise Association Automotive Editor Bob Cochnar took the measure of the American Motors Corp. in a recent series of articles and concluded that despite the fact the company is "against the wall" now, it is in the strongest position it has ever been to turn the tide in the never-ending battle for a man-sized share of the auto market.

The big ingredient in the favorable outlook for AMC, as Cochnar points out, is the company's resourceful and imaginative management led by Board Chair-

man Roy D. Chapin, Jr., and William V. Luneburg, president.

Another big ingredient is the good will the company has built among its employees at its huge Kenosha, Wis., plant. As a result, far from being an empty directive, the AMC employee creed is followed: It is, "Build each car as though you were going to own it yourself." The country's consumers could hardly ask for better treatment.

Mr. President, I commend Mr. Cochnar's articles to the attention of all Senators and ask unanimous consent that they be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

AND THINGS ARE LOOKING BETTER: IF AMC CAN BE SAVED, ROY CHAPIN WILL DO IT

(By Bob Cochnar)

DETROIT.—If corporations were really people and could talk, American Motors might be saying something like this:

"So what else is new? I've been on the ropes before, you known. The scavengers were sizing up my bones and the obituaries were being written. But I fooled them. When the chips were down, as they were in 1954 and 1957, I gambled and I won.

"I'm not your average automobile company. I may be against the wall now but I haven't stopped fighting. With a little help, I'll pull through again. My chairman, Roy Chapin, summed up the situation the other day when he said 'the potential on the upside is now greater than the risk on the downside.' "

But corporations can't talk and this stubborn conversation may be little more than an exercise in wishful thinking. Yet this is certain: nobody wants to see AMC fall.

Certainly not the Big Three, for one less competitor brings them one step closer to the Justice Department and the Federal Trade Commission and the antimonopoly people.

Neither are the states of Michigan and Wisconsin planning to watch idly as 18,000 AMC employes become suddenly jobless.

Roy D. Chapin Jr. and AMC President William V. Luneburg did not take charge of the foundering company nine months ago to preside over its dissolution. Most observers feel that if AMC can be saved, Chapin and Luneburg will do it.

The ups and downs of American Motors will one day make a fascinating case history for the Harvard Business School. It was conceived in 1954 by a desperate merger of two failing companies, Nash-Kelvinator and Hudson Motor Car Co.

George Romney, now Michigan's governor, was named president and chairman in 1954 and within six years made automotive history with the compact car. With evangelistic fervor, Romney stumped the country assailing "Detroit's gas-guzzling dinosaurs" and pointing out the economy of the Rambler.

By 1959 AMC was earning $60 million or $3.37 a share—a profit level never again matched. Two years earlier the company had lost $11.8 million. Sales were in the $1 billion class by 1960.

But in 1962 Romney quit to run for governor (nobody at AMC thought he'd win and, in fact, kept his job open for him). Roy Abernethy filled in and ultimately became AMC's chief.

By this time, producers of the dinosaurs had turned out their own compacts and the Rambler was given stiff competition. Abernethy, believing the day of the compact was nearly over, reversed corporate thinking by building bigger, zippier cars. As the cars grew larger, however, sales grew smaller and losses began to mount.

Detroit automakers now feel that Abernethy made a colossal mistake by trying to compete across-the-board with Ford, General Motors, and Chrysler. "If he had only continued to think small," one may say, "he'd have found the Mustang before Ford did—and things today would be much different."

Last year, investor Robert B. Evans, supposedly a corporate miracle worker, bought nearly $2 million of AMC stock to become the firm's biggest shareholder. He was elected a director, then board chairman.

Evans failed to impress the industry, however, which looks upon anyone who hasn't been in the business since age four as an outsider. Last January, AMC turned to an automan—Roy Chapin, whose father had been one of the founders of Hudson. Chapin named as president Bill Luneburg, a tough-talking former Ford "whiz kid" and Harvard Business School man.

Several weeks ago, the results of the accumulated years of misguidance and lack of corporate direction reached its lowest point. AMC posted a third-quarter loss of $17,925,988. Sales in the period ending June 30 fell 11 percent to $202,946,331. The quarterly dividend had been eliminated for the eighth consecutive period. The company appears assured of posting its biggest annual loss ever, surpassing the $25.4 million loss of fiscal 1956.

Yet, despite the financial loss, American Motors is today in a better position than it was a year ago:

The company's 24 creditor banks which have lent $95 million to AMC have extended the credit arrangement to the end of 1967 giving the Chapin-Luneburg team the chance to change the company's fortunes.

The new management dumped Abernethy's shotgun all-bases-covered approach to the automobile market and instead decided to attack specific segments. AMC is no longer trying to be all things to all people.

Chapin and Luneburg, aware of the negative image many AMC dealers have presented to the consumer, visited most of the 2,400 dealers personally, bringing new confidence to the competent franchisers, cutting off the deadwood. The result is new life in a once-sagging dealer network.

$200 price slash on the compact American put the car in direct competition with Volkswagen and other imports. Sales increased considerably.

Much—but not all—of the company's hopes in 1968 are pinned on the Javelin, AMC's "personal" car which previews this week. The Javelin, says Chapin, is a "much-improved, better-looking Mustang."

Wall Street analysts, assuming an auto strike, feel that a long strike would help the company since the UAW-AMC contract expires a month and 10 days after the Big Three pacts. The strike would create a seller's market and AMC would have the product—for awhile, anyway.

AMC stock has been bullish lately due to heavy buying by mutual funds. While Chapin sees this as an indication of confidence in the new management, some analysts are not so sure.

Says one:

"AMC stock is still extremely depressed and, consequently, every chartist on the Street is enthralled with the new activity. But, fundamentally, there are still doubts.

"Mutual funds more and more are becoming short-term oriented. By ignoring fundamentals, a fund can move in low, inflate the stock, pull out high. I'm not at all assured AMC can make a go of it but things are much better now with Chapin at the helm."

One fund, however, which has purchased a large block of shares, maintains there were enough basic pluses to justify the commitment. Five funds have bought 2.3 million shares.

Nobody—including the management—expects the company to pull out of the red in fiscal 1968. "We must position ourselves and our products in the minds of the public," says Roy Chapin. "Once we do that, we will succeed."

KENOSHANS ARE FEELING OPTIMISTIC

(By Bob Cochnar)

KENOSHA, WIS.—Top management at American Motors, headquartered in Detroit, looks forward to its Kenosha plant visits and not for the usual reasons.

Where else in the United States is nearly every other car on the street an AMC product? If there were only 100 more Kenoshas in the country," a company official says, "we'd never have a problem."

Despite the seeming over-abundance of Ramblers, Rebels, Ambassadors, Marlins, and Classics in this town of some 75,000 people on the banks of Lake Michigan, AMC President William Luneburg voiced a certain alarm when he spoke several months ago to the city council.

He noted that the percentage of AMC new-car registrations in Kenosha county slipped from 47 per cent in 1960 to 35.6 per cent in 1966. But he added:

"We don't want you or your families or your friends, or our employes, to buy American Motors cars because of a sense of obligation or out of a sense of duty—moral or otherwise.

"We want you to buy our cars because they are superior cars, built by men and women in this town who are steeped in a tradition of building a damned good car.

"I am sure, furthermore, that you would not be considering a trip around the state to visit other city officials to persuade them to buy our cars if you didn't believe our cars are superior to whatever kinds of cars they have been buying."

Nine thousand people are employed at the sprawling Kenosha plant, the largest operation of its kind in the world. Most live in Kenosha and Kenosha County although, until recently, the plant was also nearby Racine's largest employers.

You can be sure that Kenoshans know what's happening to AMC in Detroit and the country. Certainly, reasons for their interest are largely economic yet they are also concerned because they believe that AMC makes a good product and that AMC has been good to Kenosha, for reasons other than economic.

That's why former mayor Gene Hammond, now a vice president at the Kenosha National Bank, formed the "Kenoshans for Rambler" Committee, a blue-ribbon panel of townsmen anxious to help AMC.

Hammond, whose family owns 11 AMC products, has attempted to make every resident an ambassador for Rambler. To stimulate nationwide Rambler sales, his committee sponsored a contest which resulted in some 400 suggestions for improvement. "Some were pretty good," he says.

Although AMC is by far the town's largest employer—and largest taxpayer—Kenosha is not without other industry which ranges from the manufacturing of Jockey shorts to major metalworking operations, wire rope and underwater weed cutters.

"In a way," says Milton Wittenberg, executive director of the Chamber of Commerce, "American Motors makes it difficult to attract new industry because of the high level of wages it maintains. And the uncertainty at AMC is a limiting factor on industrial growth."

Yet the town has grown. It's soon to become a center of education and this should attract more industry. In 1962, Carthage College in Illinois built a new campus in Kenosha and moved—lock, stock and students.

The University of Wisconsin will soon build a major campus here, thanks to municipal efforts and, significantly, the work of Edwin Moore, long-time community relations manager for American Motors.

Ford Charlton, director of the Kenosha Manufacturers Assn., believes the prevailing mood is one of the optimism. "Roy Chapin and Bill Luneburg made a terrific impression on Kenosha," he says. "They made it a point to know about the town and its history." Charlton has owned Ramblers since 1939, "long before I came to Kenosha."

James Murphy is a member of the City Council and head of guards at the AMC plant. He has been with AMC "off and on" for 35 years. Six council members out of 18, in fact, are AMC employees.

"There was something lacking in Detroit after George Romney left," Murphy believes. "But now things have changed. The old spirit is back." And if AMC should leave?

"Why," Murphy says, "American Motors is like one of the family. If it left it would be like losing one of the kids."

If Roy Chapin thinks he has problems, he should talk with Kenosha's mayor, Wallace Burkee, who was elected four months ago to replace Gene Hammond when he resigned to join the bank.

"Balancing a budget is getting to be a bit rough," he says. "We're on the line now and will probably have a $25 million budget next year."

AMC figures in that budget. It pays about $2.5 million annually in real estate taxes (second largest taxpayer, American Brass, pays $612,000). AMC's state tax rebate to Kenosha in 1963 was $1.6 million; last year it was $600,000.

"Obviously," Burkee adds, "we're concerned about American Motors fortunes because it means a lot to our fortunes. We're proud of the company here. It's a partner in city growth."

Kenosha doesn't know what it's like to lose a major industry. When the Simmons bedding people left in 1959, 1,400 people were out of work. "But," says Gene Hammond, "AMC immediately leased the Simmons plant and hired all the jobless workers. And people don't forget that."

Above every entrance to the Kenosha plant the employee creed is emblazoned:

"Build Each Car as Though You Were Going to Own It Yourself."

It's not hard to believe that the creed is followed.

HONESTY DOESN'T HAVE TO BE DULL

(By Bob Cochnar)

NEW YORK.—When Mary Wells decided to open her own advertising agency in April 1966, she announced to the press that her firm's special interests would be in "established products that are declining, products where there is no important difference between brands and new products that have a great story to tell."

Unless she was psychic, Wells, Rich, Greene's retention of American Motors as an account is remarkable coincidence. There is little doubt that Mrs. Wells' shop is the hottest new agency in the business. Whether it stays hot after the AMC campaign is released in September has the advertising community atwitter.

She has been placed, perhaps because of her phenomenal success with Braniff Airlines and Benson and Hedges Cigarettes, in a rather unenviable position. If AMC products don't sell, Wells, Rich, Greene will take the brunt of the blame.

"Any agency unwilling to take the blame for failure doesn't deserve to take the credit for success," she points out in a decidedly feminine—yet tough—way. "We think we can make better advertising over a period of time than anybody else. And it won't be easy to hide the proof of this."

AMC Chairman Roy Chapin is pleased with his new agency. He allows that the Wells, Rich, Greene campaign "is different" and that it should get everybody talking about American Motors.

Assuming Mary Wells can build consumer interest to a fever pitch, what will people see when they get to a showroom?

They'll see, immediately, the Javelin, AMC's entry in the sporty car (Mustang, Camara, Barracuda) market. It's a handsome machine with the chopped deck and long nose so popular in this area. And it's refined. The lines are smooth and interesting. There's plenty of room. The price, AMC says, will be right.

They'll see, by midyear, the AMX, which Chapin calls a "true two-seater sports car." The market for this vehicle, to be sure, is admittedly small but management figures it will increase floor traffic. AMC wants people to see its American, Rebel and Ambassador.

To strengthen ties with the youth market, from which all blessings apparently flow, AMC products with factory support will be rallying, drag-racing and possibly even stock car racing.

"We're interested in performance, not racing as such," Chapin says. "It is a commercial way to prove something about our engineering. Drag-racing has crowd appeal and public acceptance. Then there is the novelty of a 1,200-horsepower Rebel capable of 200 miles per hour."

American Motors has roughly a $12 million advertising budget which, when compared to Big Three advertising, is modest. Mrs. Wells plans to spend a lot of it on television and in newspapers.

She isn't especially impressed with the advertising efforts of the major companies. "The tremendous mystique surrounding auto advertising is a whole bunch of nonsense. They make such a big thing of it, with their hush-hush meetings, nitpicking and phony claims.

"We are going to speak English. Auto advertising seems to be written in Detroitese. You read it but it doesn't say anything. Detroit's advertising tradition is permanently etched in cement."

American Motors is a much smaller company, she points out. The management is directly involved in all areas of the operation. "They're not sitting behind their desks." Besides, she adds, "Roy Chapin is darling. He knows what must be done and so do we."

The Wells, Rich, Greene approach is surprisingly simple. The advertising has been created so that everyone it reaches is made aware of what the Rebel, American, Ambassador and Javelin are. "We want to position these four cars in the market so that people can understand them." And then, she says, "we want to make people like them."

"American Motors has a tradition of honesty, a concern for the good, old American sense of values. It's natural to take advantage of the honesty image. Honesty doesn't have to be dull; it can be beautiful. You'll be able to see that you're getting more for your money. It can be very smart to get a good value."

American Motors is appealing to the "nonaverage buyer" which Chapin estimates accounts for perhaps 16 out of every 100 U.S. auto buyers. "We are aiming," he says, "for the short term, for only 25 to 30 per cent of these nonaverage buyers. In terms of total industry share-of-market, that equals four or five out of every 100 car buyers."

Can American Motors do it? A lot of people hope so. Roy Chapin, for one, is convinced it can. In ending his "Condition of the Company" speech last February to AMC stockholders, he said:

"Your management and your employes are prepared for the task ahead, and we welcome it because we share an underlying excitement that springs from the plain fact that great success in this business has yielded time and time again to determination, innovation, ability and a sense of destiny and a harmonious spirit in its leadership group."

PRESIDENT JOHNSON MARKS HIS 59TH BIRTHDAY AMIDST THE RESPONSIBILITIES OF THE WORLD'S MOST IMPORTANT ELECTIVE OFFICE

Mr. PROXMIRE. Mr. President, I know that I am expressing the sentiments of the vast majority of my colleagues in the House and Senate when I wish President Johnson the happiest and healthiest 59th birthday possible—with many more to come.

The President celebrated his birthday quietly on Sunday in the White House with his family—but he was never more than a telephone call away from the heavy national and international responsibilities of his office.

The idea of a "working" birthday celebration is typical of Lyndon B. Johnson.

I can recall no other man who worked harder at being President than the man who now occupies the White House.

The American people should take deep satisfaction in this fact.

Whatever the polls say, and whatever may be the burning issue of the moment, the American people are grateful because there is a man in the White House who devotes so much energy to his job.

Surely, there was hardly a man who went to the Presidency with the experience of Lyndon B. Johnson.

There was hardly a man who was as ready as he was for the job. The late, John F. Kennedy knew that Lyndon Johnson was the man who could best succeed him.

The American people thought him and his record worthy of an overwhelming and smashing election victory in 1964.

When the chips are down, the American people are going to want a man in the White House who stands up for the American commitment, yet leaves all avenues to peace open for full exploration.

The American people want a man in the White House who cares about the people—in the cities and in the countryside.

The American people want a man in the White House who not only seeks to improve the society we have today, but also has the vision to plan for the society we seek tomorrow.

Happy birthday, Mr. President.

TIME TO CORRECT SOME HISTORICAL INACCURACIES ABOUT THE GENOCIDE CONVENTION

Mr. PROXMIRE. Mr. President, the Genocide Convention adopted by the General Assembly of the United Nations, and signed by the United States in 1948, was submitted for Senate ratification by President Truman in 1949. Through this convention, the commission of specified acts with intent to destroy national, ethnic, racial, or religious groups as such, is made a crime under international law.

The Genocide Convention has as its stated objective the preservation of man's most precious right: the right to live. When this convention was submitted to the Senate in 1949, only five nations had ratified it. Since that time, another 65 nations have chosen to ratify

this convention, but not the United States.

One of the most widely held misconceptions about Hitler's 12-year reign of terror is the gross error that the Third Reich's program had as its exclusive victims Jewish people alone.

The mass murder of almost 6 million European Jews by Nazi butchers has been well documented. All civilized men condemn these acts of barbarism and mourn the victims and their families. But how many of us are aware that during these same dozen years these same executioners murdered 7 million Christians as well?

In the perverse Nazi lexicon, these victims were typed as "Christian subhumans." Russians, Poles, Hungarians, Rumanians, and Czechs—7 million of them—whose veins did not flow with "pure Aryan blood" were brutally put to death.

The Senate and all people must grasp this fundamental fact: Genocide was not then and is not now an anti-Semitic problem; it is an antihuman cancer.

This horrendous policy is not merely anti-Semitic and anti-Christian; it is both antihuman and anti-American. We in the Senate have the means of affirming this belief, of strengthening the international antidote against genocide. The Senate can ratify the United Nations convention on genocide.

We have already wasted too much time and dishonored the memory of almost 13 million fellow human beings. Let the Senate now, in 1967, correct our grievous mistake by ratifying the Genocide Convention.

ORDER OF BUSINESS

Mr. BYRD of West Virginia. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROPOSED PHASEOUT OF RAILROAD POST OFFICES

Mr. HANSEN. Mr. President, I have recently been informed by the Postmaster General of the intention of his Department to discontinue the railroad post offices—RPO's—on several railroad lines that travel into Wyoming. In the past several days I have been notified by mail of the recommendation of the regional director of the Post Office Department that the RPO cars from trains 5, 6, 103, and 104 operating between Omaha, Nebr., and Cheyenne, and trains 9 and 10 between Denver, Colo., and Cheyenne be removed and alternate transportation be used. These actions undoubtedly foreshadow such a recommendation for railroad lines traveling through Wyoming. Such a move will mean a substantial economic loss to our State. But the loss will not be Wyoming's alone.

I am deeply concerned with the actions of the Postmaster General. The recommendations upon which he is acting were made in spite of the fact that a pertinent resolution was pending before the Senate. Even while hearings were being conducted on the Allott resolution to place a moratorium on discontinuances of RPO's, the gigantic wheels of the Federal bureaucracy were slowly turning—persistently squeezing the national RPO system out of existence.

For many railroads, the RPO system is vital to economic survival. Thus the ramifications of the phasing out of RPO's could mean long-run serious economic loss to our country in the form of the gradual decline of many of our country's rail lines.

It would, indeed, be regrettable if we allowed a part of our Nation's transportation system to falter and fail only to discover years hence that it is needed for the complete mobility which our highly developed technology demands.

In an age and at a time when the congestion of our Nation's transportation system ranks as a near crisis situation, the cutback or even the maintenance of a status quo in one mode of travel appears an unwise decision.

Each year nearly 50,000 lives are lost on our crowded highways, and over a million people are injured. Travel congestion in our big cities results in confusion, lost time, and worn nerves. And as the number of vehicles upon our rivers of asphalt and concrete increases, so does the pollution of our atmosphere.

Even our airlines suffer the consequences of congestion. A flight from Denver, Colo., to Washington, D.C., may take only 3 hours of air time. But the plane that has spanned three-quarters of the country in such a short time may circle above Washington for over an hour awaiting landing space.

Each part of our transportation system must be a strong, vital member unto itself. Each member must strive to offer the best transportation possible.

It was my intention, as I am sure it was the intention of many other Senators who sponsored the Colorado Senator's resolution, that we should pause now—while there still is time—to carefully examine our Nation's transportation system. Such a study is badly needed.

The Post Office Department would have been well advised to hold back on these apparently soon-to-come discontinuances until action was taken on the Allott resolution and the pursuant study by the Department of Transportation.

If we are ever to have an effective transportation network in this country, planning is vital.

The actions of the Post Office Department are patently contrary to such a policy.

The Allott resolution is an attempt to keep our transportation system in the United States as progressive and as alive as the age in which we live.

In asking the Secretary of the newly created Department of Transportation to study the potential of rail transportation it was the hope of the sponsoring Senators that new life could be breathed into the still young, but slowly failing, body of our Nation's railroads. For it would be a grievous mistake to allow the long-run potential of the railroads to die because of a shortsighted possible economy which might be realized by the Post Office Department.

THE UNITED NATIONS SECURITY COUNCIL SHOULD TURN ITS ATTENTION TO VIETNAM

Mr. PELL. Mr. President, I wish to associate myself with the senior Senator from Montana [Mr. MANSFIELD] and with the other Senators who spoke yesterday, once again urging United Nations considerations of the war in Vietnam.

I also believe that if we follow this course and succeed in securing some sort of action recommendation from the United Nations, no matter whether from the Security Council or the General Assembly, we must also indicate our willingness to accept that recommendation, no matter how tasteful or distasteful that recommendation may be to us.

ORDER FOR ADJOURNMENT UNTIL 10 O'CLOCK TOMORROW VACATED

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the previous order providing for adjournment until 10 o'clock tomorrow morning be vacated.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until 10 o'clock tomorrow morning.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the Senate go into executive session.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider executive business.

SUPREME COURT OF THE UNITED STATES

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that Executive Calendar No. 977, the nomination of Thurgood Marshall, be laid before the Senate.

The PRESIDING OFFICER. The nomination will be stated.

The assistant legislative clerk read the nomination of Thurgood Marshall, of New York, to be an Associate Justice of the Supreme Court of the United States.

Mr. PELL. Mr. President, I wish to speak in support of the nomination of Thurgood Marshall to be an Associate Justice of the Supreme Court of the United States, and I urge Senators to support this nomination as well.

RECESS UNTIL 10 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate, in executive session, stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 3 o'clock and 15 minutes p.m.), the Senate, in executive session, took a recess until tomorrow, Wednesday, August 30, 1967, at 10 o'clock a.m.

HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 29, 1967

The House met at 12 o'clock noon.

Rabbi Norman Zdanowitz, King's Park Jewish Center, Long Island, N.Y., offered the following prayer:

O Heavenly Father, cast Thy countenance and abundant blessings upon this great land. Fortify it physically and spiritually and protect it against all its enemies.

Bless our illustrious President and the constituted officers and leaders of the United States with wisdom and understanding, insight and foresight that they may be instrumental in resolving the social, economic, and political problems that confront our glorious Republic. As we approach Labor Day, we pray that the representatives of capital and labor will realize that both are vital and indispensable partners in our unparalleled economic order, and that both must plan and labor together in harmony in order to promote a better way of life. May we all be mindful of the unfinished labor of liberating the oppressed, of banishing violence and hatred, and of making the pursuit of truth and virtue the highest ideal and fondest ambition.

May the United States remain a citadel of freedom and a watchtower from which rays of light and hope shall be beamed to those who are now living in darkness, poverty, and despair. Hasten the day when the millenial hope of justice, brotherly love, and peace shall be established and will prevail throughout the world. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1467. An act to provide authorizations to carry out the beautification program under title 23, United States Code.

S. 1504. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans for enterprises to supplement farm income and for farm conversion to recreation, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes.

DOUGLAS AIRCRAFT CO.'S EXHIBIT OUTSTANDING AT THE PARIS AIRSHOW

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CHARLES H. WILSON. Mr. Speaker, during the past several weeks I have discussd the various American exhibits at the Paris Airshow. Today I would like to salute the Douglas Aircraft Co. for its participation in the airshow.

One of the most popular American exhibits at Paris was the DC–8–61 jet transport produced by Douglas. This airplane, flown to Paris by Eastern Airlines, is one of the new Super Sixty series of the DC–8, 37 feet longer than its predecessors and capable of carrying up to 251 passengers.

These new aircraft have been ordered by a number of airlines throughout the world and the Paris Airshow offered an ideal opportunity for the European public and potential customers from various countries to become familiar with the Super 60 series.

The introduction of the DC–8–61 jet transport—the world's largest—opens a new chapter in the history of aviation.

The Super 61 DC–8 is the first transport built to provide air carriers with a commercial jetliner specifically designed to meet the current and predicted expansion in air travel.

Increased in size, capacity, and efficiency, the Super 61 demonstrates the capacity for growth inherent in the DC–8 design. It is the seventh new version of the basic DC–8 which made its maiden flight May 30, 1958.

The giant transport is designed to provide efficient service at low seat-mile and ton-mile costs on high density traffic routes where the schedule frequency has reached near-saturation levels.

Capable of carrying up to 251 passengers, the Super 61's capacity is more than 30 percent greater than that of the series 50 DC–8, the largest DC–8 now flying.

The Super 61 fuselage is extended by adding a cabin section 240 inches long in front of the wing and one of 200 inches aft of the wing.

Baggage and cargo space under the floor are proportionately increased to 2,525 cubic feet—almost equivalent to that of a C–36—enabling an airline operator to pay the entire direct operating cost of the aircraft from cargo capacity.

Super 61 DC–8's will reduce direct operating costs to less than 1 cent per seat-mile for the first time in aviation history.

In its convertible passenger-cargo version, designated the Super 61 DC–8F Jet Trader, the giant airliner will have a total cargo capacity of more than 12,600 cubic feet, compared to 8,810 cubic feet for the series 50 DC–8F.

The increased cubic capacity of the newest Jet Trader makes it possible for aircargo operators to accept many categories of bulky, low-density items previously considered unsuitable for air shipment.

The Super 61 DC–8F will accommodate 18 cargo pallets, five more than any other commercial air cargo transport. Pallet size can either be 88 inches by 108 inches or 88 inches by 125 inches.

Overall length of the new jetliner is 187.4 feet. Maximum takeoff weight is 325,000 pounds, and maximum landing weight, 240,000 pounds.

The Super 61 can carry its maximum capacity in passengers 3,900 statute miles without refueling. With a maximum payload weight limit of 77,500 pounds, the four-engine transport has a nonstop range of 2,860 statute miles.

All Super 61s are powered by four Pratt & Whitney JT3D–3B engines mounted on the wings, which have a span of slightly more than 142 feet.

The door to the cargo compartment under the floor of the Super 61 DC–8 has been enlarged from 36 by 44 inches in the standard DC–8 to 56 by 57 inches and has been designed as a sliding door rather than opening outward.

Production of the Super 61 began in 1965. The transport was rolled out January 24, 1966, at the Aircraft Division, Long Beach, Calif., and made its maiden flight in March 1966.

Enthusiastic endorsement of the Super 61 concept was evidenced even before the first flight. Eight airlines as of that date had placed orders for 28 of the jetliners.

Air Canada ordered four; Delta Air Lines, three; Eastern Airlines, seven; National Airlines, one; and United Air Lines, seven. Additionally, Trans Caribbean Airways, Saturn Airways, and Trans International Airlines each ordered two Super 61 DC–8F Jet Traders.

The Super 61 DC–8 is the first of three enlarged versions of the DC–8. The other two, the Super 62 and Super 63 DC–8's, are ultra-long-range transports designed for international operations.

At Paris the U.S. Navy also displayed versions of the A–4 Skyhawk attack aircraft, also produced by Douglas. These aircraft, more than 2,000 of which have been manufactured, are an important part of the Navy inventory and are performing particularly well in Vietnam. Other nations are interested in purchasing the A–4 and the Royal Australian Navy has just taken delivery on the first of 10 in the A–4G configuration.

Mr. Speaker, I know that my fellow Americans join me in commending the Douglas Aircraft Co. for representing our country so ably at the Paris Airshow. In addition to contributing significantly to our Nation's defense effort, companies like Douglas have made America a world leader in the aerospace industry.

CORRESPONDENCE BETWEEN THE SPEAKER AND PRIME MINISTER KY OF THE REPUBLIC OF VIETNAM

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that there may be

printed in the body of the RECORD correspondence between the Speaker of the House and Prime Minister Ky of the Republic of Vietnam.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The correspondence is as follows:

REPUBLIC OF VIETNAM,
Saigon, August 21, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I take the liberty to write to you at a time when the events in my country occasion passionate debates in the Congress of the United States. Since the American and Vietnamese nations are together defending freedom, and are consenting to tremendous sacrifices, I deem it my duty to affirm again the principles which command the conduct of national affairs by my government.

The defense of freedom in Vietnam requires more than our joint efforts at war, it involves first and foremost our mutual commitment to the achievement of democracy and social justice. Should we stray from that basic commitment, or should you misconstrue our purposes, our alliance would indeed be in jeopardy.

As my government is nearing the completion of its term of duty, I sincerely feel that we have dispatched our task with honesty and effectiveness under most difficult circumstances. I take special pride in the fact that we have successfully started the course toward democracy and equality for a society which was imprisoned within the deep walls of feudalism, corruption and intolerable social discrepancies. In spite of war, subversion and several grave crises, my government has undertaken to organize five nationwide elections of vital importance within about a year's time: elections for the Constituent Assembly in September 1966, elections for Hamlet and Village administration in April–May 1967, Presidential and Senatorial elections next September, and elections for the Lower House next October. I do not know of any better way to warrant our determination to stay the course toward democracy. For it would be proper for all concerned to acknowledge the painful dilemma of our nation, torn between the dream to attain the integrity of democratic life and the necessity to fight for survival. We have lost many of our people, our soldiers, our cadremen in the past elections, and undoubtedly we shall lose many more in the coming weeks; we must devote a great deal of resources to the exercise of democracy which are badly needed on the battlefield; we run the risk of subversion and division at a time when the nation must unite in the face of the enemy. Yet we have all accepted the challenge without a shadow of reluctance.

It seems a cruel irony that some of our friends chose this very moment to voice doubt on our sincerity.

Perhaps the fact that my government includes officers of the Armed Forces leads to misgivings, for I know of the inherent distrust toward military government in the advanced societies. But in our present historical context, the Vietnamese Armed Forces are of a very particular nature: 700,000 of our young men are under arms in a nation of 15 million people. Our Armed Forces are not composed of militarists or people inclined to the use of force or violence, but of all the generations of Vietnamese within the age of offering the fullest measure of service to their imperiled Fatherland. They are the Present and the Future of our nation.

Furthermore, my government did not seize power; it was a civilian government which, unable to resolve instability and division, passed on to the Armed Forces the burden of preserving the nation from collapsing. We then formed a mixed team of civilian and military leaders, decided that our term of duty was to be a transitional one, and set out to establish the very rapid time-table for the advent of representative government. We are now reaching the final stage of that time-table.

Of course, two years are a very short period of time. We are convinced that we have engaged our country on the right path, but we are also aware that the tasks which we have begun, such as rural development, reorganization of the administration and of the army, reinforcement of the national economy . . . need to be continued. That is why, in good conscience, we deem it our duty to run for offices in due democratic process. We hope that the people of Vietnam will entrust us with further responsibilities on the basis of our past performances. But should the people decide otherwise, we shall readily accept their verdict.

I am particularly sad to hear accusations that the Vietnamese Armed Forces will resort to coups in the event the election returns should be unfavorable to us. We have devoted the finest hours of the past two years to bringing about the first democratic institutions in our country, we shall not be the ones to destroy them. I have repeatedly warned our soldiers, our civil servants, our cadremen against rigging the elections in any manner, for I think that dishonest elections would deprive our country of democracy for a long period of time. In 1963, the people and the Army overthrew a dictatorial government which was issued from dishonest elections.

That a few press correspondents should misquote my word of caution against unfair elections and make it sound like a threat of coup was, after all, understandable. But for a moment, I felt very discouraged to see some of the best friends of my country give credence to those inaccurate reports. Time and again, I have proven that I am capable of placing the interest of our nation above all possible personal ambition; the decision I made on the 30th of June to withdraw from the Presidential race and to seek the Vice Presidency instead, was another instance of my sincerity.

I see therefore no reason for attributing to ill faith on the part of my government the difficulties that the candidates may encounter in their campaigning. My country is short on physical facilities, several of our airfields are still unsafe, and the wind blows where it may . . . In my opinion, a dignified attitude for those among us who ambition to be public servants by popular choice should be to endure those misfortunes and persevere in seeking the support of the electorate, and not to display resentment against the adverse conditions which prevail for our entire people. In the meanwhile, I am satisfied that our government has done its very best to give all candidates a fair share of the means for campaigning. The same amount of money is alloted to all tickets. The government Television and Radio allow equal time to all candidates in direct broadcast, and anybody in Vietnam can testify that those means are used at their fullest capacity by our opponents. The Vietnamese press is free, and, in part, quite virulently antigovernmental; on the other hand the foreign press is at full liberty to cover the campaign and the forthcoming elections.

If by the standards of a country with a long experience in the exercise of democracy, and free from the predicaments of war and underdevelopment, our elections still present serious shortcomings, I am the first Vietnamese to deplore that situation. But I can say without any doubt in my conscience that my government does not deserve any lesson in honesty and patriotism from any quarter.

I am afraid that persistent criticism without substantiated evidence on the part of some prominent American figures may, in the long run, impair the harmony of our joint efforts. The Vietnamese are a proud people, they will accept any amount of tribulations and sufferings, but their dead count as much as the dead from all the friendly lands, and they will admit no discrimination in all the men's supreme tribute to freedom and human dignity.

I see an urgent need, Mr. Speaker, for all of us to keep an appropriate perspective in the partnership between nations, large and small, which are in pursuit of a common ideal; for intemperate reliance upon the physical scale of strength would be the negation of that very ideal.

Mr. Speaker, may I ask you to convey my letter to all the Distinguished Members of the House of Representatives of the United States.

I stand in profound respect for the great traditions of democracy and justice embodied in your institutions. I greatly value the support of the Congress of the United States for the cause of Vietnam, and I am always ready to discuss in total candor with the Distinguished Representatives who wish to further examine the developments concerning the common endeavor of our two nations.

Sincerely yours,

NGUYEN CAO KY,
Air Vice Marshal.

U.S. HOUSE OF REPRESENTATIVES,
Washington, D.C., August 29, 1967.

Air Vice Marshal NGUYEN CAO KY,
Chairman, Central Executive Committee, Republic of Vietnam.

DEAR MR. PRIME MINISTER: Your letter concerning the principles which govern the conduct of national affairs by the Government of Viet-Nam has reached me, and I have conveyed it to the members of the House of Representatives, as you requested.

I have given the most careful consideration to your letter and I am sure that other members of this House will do likewise. In my opinion, your remarks are an eloquent and welcome reaffirmation of the ideals of national independence and individual liberty shared by our two peoples.

Let me assure you that no criticisms or reservations expressed by members of the House of Representatives in the exercise of their duty to inquire into the affairs of the United States have ever intended to impugn the encouraging course towards constitutional democracy which your country has undertaken. In fact, the attention given by the House of Representatives to the development of representative institutions in Viet-Nam is a measure of our common concern that the impressive pace of evolutionary political development to which you and your colleagues have contributed so much shall be sustained. Our admiration for these accomplishments is heightened by the realization that they were undertaken in the face of brutal opposition from an arrogant aggressor which would deny your people their right to self-government.

With my expressions of respect and my compliments to you and your associates, I am

Sincerely yours,

JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives.

RESCUING OUR OLYMPIC BEGGARS

Mr. KUPPERMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KUPFERMAN. Mr. Speaker, with the prestige of the United States continually at stake before the world, the area of amateur sports, especially the Olympics, continues to be of prime importance.

My constituent, Irving Jaffee, the great

Olympic skating champion of 1928 and 1932, whose exploits on behalf of the United States are remembered by all who saw or read of them, is vitally concerned about financing our Olympic teams.

In a very thoughtful article in the current issue of the American Legion magazine—September 1967, commencing at page 17—he considers the way we have financed previous Olympic teams, the unseemly last-minute pleas for funds, et cetera, and makes concrete proposals for the future.

The article follows and I commend it to my colleagues:

A PLAN TO RESCUE OUR OLYMPIC BEGGARS

(By Irving Jaffee, Olympic skating champion in 1928 and 1932, as told to Hal Bock)

The modern Olympic games were first held in Athens, Greece, in 1896. They have been held every four years since, except in the war years 1916, 1940 and 1944. The winter games were added in 1924. The United States has participated from the start. When we go into the 1968 games our Olympic experience will have spanned 72 years. Yet it is a foregone conclusion that it will be a crash operation to finance our 1968 team.

Undoubtedly our Olympic Committee won't go in the red. It will balance the books by a last-minute pleading for individual gifts, by swapping exclusive Olympic advertising endorsements for cash and equipment from U.S. corporations, and by practicing economies in Olympic expenses—economies that will include leaving some eligible athletes home.

That's how it has happened ever since I can remember. I was our fourth ranked speed skater in the 1928 Olympics. We were entitled to send a squad of 17 speed skaters to the St. Moritz winter Olympics in Switzerland. We prepared to send three. The ship was actually delayed in sailing at the last minute while a decision was made that they could afford to send me after all. By the skin of my teeth I made the trip. To everybody's surprise, including my own, I won the 10,000 meters. But my pride in beating the best skaters fielded by the entire world has been watered by an unresolved doubt ever since. If our fourth ranked skater could do that, perhaps our fifth or 17th could have beaten me. I'll never know. They stayed home.

At the Millrose track meet in Madison Square Garden, just before the last Olympics in 1964, the program was interrupted while a sentimental plea was made by old-time athletes for all the spectators to chip in for the Olympic fund when ushers passed among us rattling the cup.

This begging to help the richest nation on earth send its squads to the Olympics makes me absolutely furious. But while I can contain myself, my wife can't. She wants to take it out on the only target available—the poor ushers who pass the tin cup. "Why aren't they planning something," she cries, "instead of embarrassing and humiliating our sports, our nation and our whole program?" She and I aren't alone. As a former Olympian, and as one who ever since has identified himself with the development of young American athletes, I am often the target of a blunt question from others:

"What the hell is the matter? Why do they have to put Bob Hope on a telethon to raise nickels and pennies, or enlist Bing Crosby in appeals to the public, or ask people to send in soap coupons with the promise that the manufacturer will give so much to the Olympic fund for every so many coupons?"

They *do* have to do that, and our 1968 Olympic team will need your support in every conceivable way in order to make out. There's no chance of getting out of the old rut in the little time remaining. Maybe we'll never get out of it. Maybe the begging, penny-pinching, commercialization and crash operations will go on and on in the nation that is reputed to have the greatest reservoir of management ability in the world.

There's a simple and logical way to assure our Olympic team the money it needs in a planned, non-begging fashion—with enough money left over to provide some needed support for the better development of amateur athletics in the United States.

That is another sore spot. We do perhaps the sorriest job of any major nation when it comes to developing young athletes. That could surprise you, since we turn out many great champions. Truth is, we do it the hard way, and we are weak in many sports where we could be strong.

Versions of my own story, minus the happy ending, could be repeated by tens of thousands of American boy and girl athletes and by thousands of adults who have tried to help them. To put it briefly, I was bitten by the skating bug at age 14, while living in a poor neighborhood in New York's Bronx. I had to go to Manhattan to find a rink I could use (Roseland Dance City occupies those premises now). To pay for the privilege of skating I swept the ice regularly. I sold newspapers to earn subway fare to the rink. I wore borrowed skates that were too big for me. Stuffing the toes with newspapers I managed to win a medal in a novice race. A year later I won an important race, the New York Daily News Silver Skates. I didn't even know what I'd done right, for I had never been coached. After that, opportunities opened up so that I could have coaching and decent equipment, thanks to the interest of individual older skaters in a promising youngster. This doesn't exactly read like a program for the development of young athletes.

Things aren't exactly the same today, but there is still no trace of anything like a national program to give kids such as I was a chance to get started. In Canada, the government hires top-notch coaches in speed skating and figure skating. They travel the country and give mass instruction at "clinics" to which any interested youngster can come. We have "Olympic coaches," but theirs is chiefly an honorary job, involving the management and discipline of the Olympic team once it is chosen.

Until recently, there was not a single Olympic-size quarter mile or 400-meter racing rink in the United States. Now the state of Michigan has built one at Flint. Small wonder that while an American like Terry McDermott could win an Olympic short race in 1964, we are consistently left behind in distance skating. Our young distance skaters practice on ponds, rivers and lakes (when weather permits) or at undersized hockey rinks. When they enter a world contest it's like going onto the field for the first time. The city of Moscow has ten 400-meter rinks where the smallest children can practice under Olympic conditions. Norway has about 40, Sweden 30, Finland 10—and so it goes.

Many European nations have from 10 to 20 Olympic bobsled runs. In the United States we have one—at Lake Placid. The State of New York and the town of Lake Placid foot the bill for it. The winter athletes aren't the only ones who have little chance to develop or get good coaching in the United States, but skating is my field so let me say a little more.

France sends her most promising Olympic figure skaters to the United States, with all costs paid, to be coached by Pierre Brunet, now an American citizen. In 1928, he, with his wife, won the mixed-pair Olympic figure skating crown for France.

We send nobody anywhere for the coaching that a top figure skater needs. And it costs plenty. If you have the stuff to be a figure skater in the United States, you must have rich parents or some private club or sponsor behind you in order to develop. Either is a matter of luck.

Our own wonderful Carol Heiss and Peggy Fleming lacked family wealth. Fortunately, the New York Skating Club sponsored Carol, while Peggy is a world champion thanks to the backing of the Broadmoor Skating Club in Colorado Springs.

European governments in general will hire successful coaches—from abroad if necessary—to train their Olympic hopefuls.

In the United States, the development of young amateur athletes is carried on in the schools or by volunteer adults. We are all familiar with the volunteer programs—the Little Leagues, American Legion Baseball, Babe Ruth Leagues, police athletic leagues, Boys' Clubs, Boy Scouts, and so on. Then there are purely local sports programs conducted by a park department or by willing adults who earn a living from nine to five, then turn out to help what youngsters they can.

It is a tribute to such volunteers that they have done as well as they have. Their struggles to find playing space and equipment, uniforms, tournament costs, adequate instructors or transportation for the youngsters would curl your hair if you knew the details. To put it bluntly, volunteers who are perfectly willing to train your child or mine usually have to spend more time and energy begging for money or other needs (the way the Olympic Committee does) than they are able to devote to the youngsters.

Our national American Legion Baseball tournament nearly died in 1933 when the major leagues withdrew the support that helped underwrite the national elimination contests. Newspaper publishers saved the day. They followed the example of the late Frank Knox. Knox, former Secretary of the Navy, and a publisher of papers in Manchester, N.H., and Chicago, put up the first $5,000. The late Dan Sowers, of West Virginia, and other hard-working Legionnaires used Knox's gift as a base to solicit more from other publishers. The major leagues, whose roster today are loaded with former Legion youth baseballers, eventually restored their guarantee.

Readers of these pages well know what many of the individual Legion Posts go through in order to support the local teams in the program. The Post that plays host to the national finals may find that it will make out very well—if a substantial committee of able men anticipates every detail and exploits every avenue of support a year or two in advance. Otherwise it may struggle for another year or two to get out of the red.

Unlike us, many foreign nations have national physical fitness programs. True, there is an element of deceit in some of them. They help to field well-trained "amateurs" in the Olympics who would be professionals by our standards. The Communist nations, of course, simply support and pay their "amateurs" to keep in training.

They aren't the only ones. Ethiopia's great distance runner earns army promotions by winning international races. Sweden's definition of an amateur permits an athlete to capitalize on his reputation in any manner except coaching. Amateurs make out so well financially that professional sports are all but unknown there. By contrast, if I should check hats at a skating rink in this country I could be declared a professional.

Deceitful rules allow the top athletes in many lands to support themselves through their sports while reaching their peak of performance, as professionals do here. But there is nothing deceitful about the facilities and instruction that help young boys and girls to develop in nations that have genuine physical fitness programs. From Japan to Europe there is mass opportunity for exposure, training and competition in a broad spectrum of sports for young people, without forcing hit-or-miss volunteer adults to beg and improvise.

We do have a national physical fitness program in the United States—so-called. Stan Musial was named to be its first director by

President Kennedy. It wasn't Musial's fault that his chief duty was to talk to adults, for it is only a paper program. There's no money in it with which to achieve anything. Begging, borrowing and improvising is our way.

A deal I tried to pull off in New York a few years ago would be unthinkable in Sweden—and so would its failure. There was a chance to let thousands of city kids skate in rinks in the parks system for a dime or so. I was concerned about the many poor boys and girls who wouldn't have skates or the money for them. I approached an athletic club with a proposition that it work with department stores to collect "trade-in" skates from well-to-do customers, and issue them for use of children in the city parks. The whole thing fell through in a mass of red tape. But my point is that this is typical of the kind of improvising and wheeling and dealing that takes place on behalf of kids in your town as well as mine. Money is always at the heart of it. Raffles and bingo used to support many volunteer youth programs, but most states have clamped down on them. Commercial sponsors are often appealed to. Thousands of local businessmen in the United States put up money or uniforms to support teams in this or that, for the privilege of the words "Goode's Grocery" or "Smith's Hardware" on the athletic shirt. This too is hit-or-miss, and it's a form of begging to ask for it—though I don't know what would happen to sandlot sports in this country without the local business sponsor.

Commercial sponsorship is sometimes too commercial. A friend of mine lives in a town where the local Babe Ruth League tied a fund-raising deal in with a newspaper's circulation promotion. The last two years running the paper's solicitor phoned him to say that if he would subscribe, it would help the ball team. Each time my friend said he didn't want the paper, but would be glad to send a contribution to the team if the newspaper would tell him who to send it to. To this day he hasn't been told. The interest of the solicitor is in newspaper circulation, and plainly not in the ball team.

If we had a solid, national plan to develop sports programs, as many lesser nations do, perhaps men like Joe Yancey or clubs like the Grand Street Boys wouldn't be necessary. Or perhaps they could achieve a great deal more with the backing of a national fund.

They fit into our most powerful amateur sport—men's track and field. Did you ever wonder how some of our track stars manage to keep in training after college (if they went to college); who coaches them; where they run or jump in practice; who enters them in meets and sees that they have uniforms; how they travel to meets? Remember, if they aren't well-to-do, they have to go to work at something else.

For some it is easy. They live near their old college, perhaps, or they are graduate students, and their old coach welcomes them. They are invited to join one of the prosperous clubs, such as The New York AC, or the Los Angeles Olympic Club.

But not all of them. In New York there were so many fine athletes of poor origins that a group of prominent citizens formed the Grand Street Boys many years ago to sponsor good athletes who needed help if they were to stay in training and get to meets without hitchiking, sleeping in flophouses and nibbling potato chips on the eve of a national championship. The Grand Street Boys have sponsored many an athlete who would otherwise have had to quit.

Then, 30-odd years ago, the New York Pioneer Club came into existence in New York. Its strong point is coaching good athletes who are no longer in school. You can look all over New York and you won't find the New York Pioneer Club anywhere. It is Joe Yancey, a Negro employee of the Internal Revenue Service. Yancey is a crackerjack track coach. He gathered in many of the graduated trackmen of N.Y.U., Manhattan and other city colleges, and many non-college runners, and established the Pioneer Club. The club is wherever Joe is standing on the running track in McCombs Dam Park, N.Y. In winter, he disperses his teams to the armories or the board tracks of the city's colleges. Some of his athletes, picked off the streets, won college scholarships *after* he developed them. Joe works full time for a living, but so do most of his athletes, so the Pioneer Club gets into swing at the end of New York's business day. Yancey's men have won national crowns for him and international crowns for America. He has put together some fearsome relay teams—which his athletes, on their own, could hardly have done. This year New York's Mayor Lindsay has named him to coach New York's entry into the U.S. Youth Games in August.

New York is my city. I haven't the least doubt that the story of the Grand Street Boys and the Pioneer Club could be repeated in Chicago, Cleveland, Los Angeles and elsewhere.

What such individuals and groups have done is inspiring. But the situation that leaves it up to them hardly reflects well on such a great country as ours. Nor are they able to do more than scratch the surface. Thousands of youngsters in the United States who aren't lucky enough to get the minimum opportunity to develop as champions in many sports are as frustrated today as were youngsters in my youth.

For many years requests for me to help young skaters, to speak to sporting groups, or to lend my time and my Olympic reputation to fund-raising activities and charity affairs kept me from having dinner with my family more than two nights a week. I've had thousands of requests to coach youngsters, and though I'm a fulltime businessman I do what little I can. I finally had to discourage requests for public appearances by charging $100—to go to charity. I had no other choice if I were to have any private life at all. Occasionally, I go on TV to talk to boys and girls about skating. Then floods of letters pour in from parents whose children have interest and ability but nobody to guide them. I'm only in a minor sport. Imagine what the demands are on the big name athletes in the major sports.

What could we do in the United States to assure our Olympic and Pan-American Games teams of all expenses, without begging and commercialization of amateur sports, and at the same time find more money for the development of young athletes? I am sure we don't want to professionalize our amateur sports, and I am equally sure that we don't want Uncle Sam to run our sports programs the way the Communist governments do. I think we have already gone too far, for to me it is repulsive that the Olympic Committee is in the business of soliciting corporations for help and giving them exclusive advertising endorsements in return.

The answer can surely be found right at hand, by simply adapting a financial principle laid down years ago for the disposal of any profits from the Olympic Games themselves. Such profits "must be applied for the promotion of the Olympic movement, or for the development of amateur sports."

I would like to see a fund, easily paid for by sports fans in a systematic way, to support our Olympic and Pan American games, and at the same time further the development of amateur athletics in the United States.

Call it anything you want, but "ASDOF" would do for now. (American Sports Development and Olympic Fund.)

It would be sustained by a cut from the gate and from TV receipts in all U.S. sporting events, amateur and professional. For all I care—if it were so administered as to prevent cheating—it could be a small surtax added to ticket prices, so that no promoter could cry that he couldn't afford it. The whole American sporting public could quite painlessly foot the bill—and gladly, I think.

In WW2, a 10% tax was slapped on sporting goods and amusements. Now, 22 years after the war's end, we're still paying some of those taxes. ASDOF could put millions of dollars into the support of amateur athletics, from Olympics to sandlot, with far less.

I've thought of 1% or 2% for ASDOF. Perhaps it would be more convenient to think of a flat nickel for ASDOF for each paid admission of $1 or more to a sporting event—with a nominal cut on some other basis from TV too.

What a wonderful feeling it would be to know that every time you go to a sporting event you'd be helping your country's amateur program. When I pay $6 to see a track meet at Madison Square Garden, I'd cheerfully pay an extra 5¢ ASDOF "tax" when I buy my ticket. What a relief if they should interrupt the program not to beg, but to announce: "Attendance tonight is 15,875. Your gate receipts have provided $793.75 for amateur sports in America."

They wouldn't need more than that small sum from a Garden audience at a track meet, a hockey or basketball game, or a boxing match, if there were a 5c ASDOF "tax" on *all* sports admissions *everywhere*.

Last year there were 135 million admissions to college and pro football, pro baseball, horseracing and trotting. Simply from those three, a 5c ASDOF contribution per admission would yield $6,750,000 a year. In the four-year Olympic span that alone would provide $27 million painlessly.

Throw in auto racing, boxing, track, hockey, basketball, swimming, skiing, skating, golf, dog races, jai alai, and so on, and there would be millions more. We'd never have to prostitute our Olympics to advertising again or pass the tin cup around.

The cost of our last Olympic and Pan American teams was $1,398,115.30—a huge amount under our present horse-and-buggy funding, a drop in the bucket under the ASDOF idea.

We should then immediately spend *more* on the Olympics, for we should never again fail to send full squads. We have entered full squads in Olympic games held here, but we have never sent full squads abroad, when travel costs became an important item.

The squads are usually cut in our weaker events, where it can be said that those we leave home wouldn't have much chance anyway. That's one of the things that keeps us weak in them. There is little incentive to train for a spot on an Olympic squad if the position isn't assured even if you qualify. Once full squads are guaranteed—as ASDOF could easily guarantee them—you can expect fiercer competition and better performance in the *many* Olympic events in which we are weak.

Over each four-year period an ASDOF surtax, if it were 5c a paid admission, could probably raise more than $30 million *above* what our Olympic and Pan American teams need. That would put muscle in the late President Kennedy's dream of a national physical fitness program, where now there is only paper and talk.

ASDOF could help support any local group that would meet specified conditions to operate various sports programs—making it easier to provide facilities, equipment, supervision, coaching and tournaments.

ASDOF could start spotting major facilities around the country—such as all-year running tracks; Olympic skating rinks and bobsled runs; gymnasia equipment and space for wrestlers, gymnasts, etc., in addition to our present wealth of basketball playing space.

Probably our great weakness in the Olym-

pic distance running events can be blamed on the unavailability of thousands of existing running tracks to trackmen except for a few weeks of the year. Outside of parts of the South and West, our vast investment in local school tracks is largely closed to trackmen in the fall by football, in winter by snow and in summer by the grounds-keeper. The waste of these facilities lying idle is enormous. ASDOF could help keep some of them open and in good shape in the summer, wherever a local group would assume supervisory control and responsibility—and organize activities.

Short-distance runners carry over useful training from football and basketball, and can come close to their peak in the brief school track season that we allow them. But our typical short school training season is of little use to distance runners. The natural result of locking them out for most of the year is reflected in our record in Olympic distance races. We absolutely dominate the shorter runs and most field events in the Olympics, and we have won more than our share in the Olympic half mile (800 meters.) But we haven't won an Olympic mile (1,500 meters) since Mel Sheppard turned the trick in 1908. In 70 men's Olympic races longer than a mile that have been run since 1896, we have won five—and two of them before 1912.

Gymnasts and wrestlers are given a short season in our school programs too, where there is any program for them at all. Typically, they have to move out when basketball moves in, and most gyms are closed to them for the summer. Few school systems can afford to keep gyms open when school is out. Typically, they lie idle while we wonder what to do with boys in the streets. Most high schools have no program at all for gymnasts, few have any for wrestlers or fencers. Rowing is for the rich and the colleges.

Our whole school varsity athletic program—the best sports program that we have—is the very opposite of a national physical fitness program. It is chiefly an attrition program which favors the few natural athletes and quickly cuts the rest from the squad, or benches many of the candidates even in practice. The nature of varsity programs permits nothing else. A few students in a large student body get all the practice. They get the best benefit of the coaching, and they dominate the use of the facilities. ASDOF, by broadening the facilities and the teaching, could give the slow learner a chance. Many of our great champions have been slow learners, eventually surpassing some of the natural athletes on their own initiative, in private struggles against the present system.

ASDOF could provide more opportunities for the school dropout, for the college graduate, for the kid on the street who yearns to excel in something but finds most doors closed.

ASDOF could send top coaches around the country in their off-seasons to hold clinics for youngsters who don't know what to do with their right foot or their left hand—as touring coaches, sponsored by the government, do in Canada.

There are associations governing or promoting most sports that could spell out far more that could be done to widen opportunity and develop amateur activities in their fields, if a fund such as ASDOF offered them a running start.

I would like to hear our top skiing leaders say what they would do with a share of such a fund for development. After 52 skiing contests for men in Olympic history, we are still looking for our first gold medal. Only two Americans hold Olympic skiing gold medals, both women. Since Gretchen Fraser and Andrea Lawrence won slalom races for us in 1948 and 1952, German, Swiss, French and Canadian women (but no American women) have come along to improve on their winning Olympic times.

A few things about such a fund as ASDOF. It certainly should be run by a top board of outstanding citizens who are not part of any sports association, to keep it above such senseless quarrels as the AAU and the NCAA are now waging. It should be as far above suspicion as Caesar's wife. A nation that can run a Red Cross or a March of Dimes has the management savvy to make it work. Sports fans, I think, would be delighted to support it.

Sports promoters who pay professional performers and entertainers have been taking in big gates for amateur sports for years, without doing very much for amateur sports in return and—of course—without paying the performers.

Most of our professional sports feast off amateur sports. We are all familiar with pro football and pro basketball divvying up the top college stars among them every year. Pro-baseball scouts tour the country looking for amateur talent. To them the best amateurs are found gold. It is time they cooperated to help develop the talent that is the source of their riches. And it would be good business, too.

Television's sports shows are its best drawing card. TV too should be very happy to make a contribution to the development of its most attractive performers.

The greatest value of ASDOF would not lie in Olympic medals. They would simply be the frosting on the cake. By far its chief importance would lie in the opportunity it could provide for all the boys and girls who want to achieve something, but whose elders say they "can't afford" this and "can't afford" that. It would also lie in the help it would give to those volunteer adults who are bucking "the system" in trying to do what they can for such boys and girls.

You take it from there.

NATIONAL VISITOR CENTER

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, today I am pleased to introduce a bill to provide for a National Visitor Center to be located in the present Union Station. As a member of the National Visitors Center Commission, I have been meeting and inspecting various sites over the past year, with a view toward solving the problems of congestion for tourists in the Capitol and at the national museums and monuments on the Mall.

The bill authorizes the General Services Administration and the Secretary of the Interior to enter into a lease agreement with the Washington Terminal Co., the present owner of Union Station. Prior to the lease, the Terminal Co. is to remodel the station, making it suitable for use as a visitors' center, and build a new 4,000-car parking facility. The estimated cost of this work is $19½ million, and all of it will be financed by the Terminal Co.

On its part, the Federal Government will take a 20-year lease on the station and parking facility, at annual lease payments which are not to exceed $2,935,000. No rental payments will be due until the United States has taken possession after the remodeling and construction, and it is expected that most or all of this expense can be recouped from parking fees and sale of goods and services.

In addition to the Visitors' Center contemplated in the bill, the Commission proposes that bus service will be available every 5 minutes to the Capitol and around the Mall.

I believe this proposal represents a solid step toward providing the convenient service needed for our tourists. It will solve the problem of congestion in the streets and public facilities, and will make the tourists' visit and impression of the Nation's Capital much more enjoyable and profitable. While I am primarily interested in improving the conditions in the Capitol itself, the bill introduced today is a good beginning.

WHY NOT A U.S. AIRSHOW?

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to extend my remarks for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, the damp but enthusiastic crowd which attended the airshow at Dulles International Airport 2 weeks ago graphically demonstrates again the general public's interest in aviation.

The more than 75,000 persons—15,000 cars—who visited this 1-day, jet-aged version of a flying circus support my general feelings that this country could and should sponsor an international air exposition.

In most quarters, American aviation is acknowledged to be superior to other countries, and yet, the most prominent air show staged on a regular basis is held in France.

It seems a bit ironic that the country which is the birthplace of Wilbur and Orville Wright, the world's foremost pioneers of flight, does not sponsor a major air exhibit.

The American aviation industry must travel halfway around the world to show its goods. Likewise, only on rare occasions such as last weekend's show at Dulles and during such exhibits at the International Exposition of Flight, which was staged in Las Vegas this past spring, does the American public have the opportunity to view the newest or best-known creations of American aviation.

Mr. Speaker, I urge that FAA and CAB officials, and other officials of this Government and aviation leaders take positive steps to consider the sponsorship of an International Air Exposition here in America for 1968 or 1969—and I would think that Dulles International Airfield would be the ideal site.

OUR ELECTION OBSERVERS IN VIETNAM

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, the

U.S. team has today departed to observe the Vietnam elections. While the members of this team are only to view the elections and not to interfere in their conduct, I believe their appointment and dispatch by the President is highly questionable and not in the best interests of either the United States or the Government of Vietnam.

We are supposedly in Vietnam to assist the Vietnamese people in protecting their freedom and independence. Over the past year or so, we have been urging the Vietnamese to hold elections in order to demonstrate and encourage this freedom and independence. Now that elections are going to be held, however, we turn around and send a team of observers to report on the conduct of these elections. This seems to me to be antithetical to the very concept of freedom and independence. Our presence there in this capacity constitutes a form of colonialism, in my opinion, and is destructive of the initiative and self-reliance we are seeking to develop in Vietnam.

That the elections in Vietnam may not be as free and honest as we would like is beside the point. The principle is what we should be seeking to establish. Sending a team of observers there tends to undermine this principle. My guess is that the sending of the team of U.S. observers has more to do with the U.S. elections next year than with the elections in Vietnam this year.

And, while on the subject of free and honest elections, do we have that much to be proud of ourselves in certain parts of the U.S. Reports from Chicago, Philadelphia, Mississippi, Boston, and even parts of Texas and elsewhere in past elections have raised serious questions in this regard.

Since our own house is not always in order, I think it only fair and reasonable that in our 1968 presidential elections, we should rightly expect and perhaps invite the Government of Vietnam to send a team of officials to observe our elections.

THE WARREN REPORT—V–VI

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. GERALD R. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, following are the fifth and sixth installments of the transcript from the CBS television documentary entitled, "CBS News Inquiry: The Warren Report":

PART V

CRONKITE. For two nights we have been looking for answers to major questions concerning the assassination of President John F. Kennedy. Sunday night we asked: Did Lee Harvey Oswald take a rifle to the Book Depository Building? Our answer was yes. Where was Oswald on the day President Kennedy was shot? In the building on the sixth floor. Was Oswald's rifle fired from the building? Yes. How many shots were fired? Most likely, three. How fast could Oswald's rifle be fired? Fast enough. What was the time span of the shots? At least as large as the Warren Commission reported? Most likely the assassin had more time, not less.

And so, we concluded Sunday night that Lee Harvey Oswald fired three shots at the motorcade. And then, last night, we began to look into the question of conspiracy. Were there others also firing at the President? We interviewed eyewitnesses. They told conflicting stories. We tested in our own investigation the critical single bullet theory and found one bullet might well have wounded both men. Captain James Humes, who conducted the autopsy on the President, broke a three-and-a-half-year silence to report that he has re-examined the X-rays and photographs and stands firm that the shots came from behind. We heard Governor Connally and heard that his recollections conform with our own reconstruction of the assassination. And we concluded that there was no second gunman.

Tonight, we look further into the question of conspiracy. Was Oswald acting alone, or was he the agent of others? Was the assassination the sole work of a twisted, discontented man, seeking a place in history? Or, were there dark forces behind Oswald?

Continuing to seek an answer to the question of whether Lee Harvey Oswald was involved in a conspiracy leads us to a second murder. Oswald was taken into custody in a movie theatre at 1:50 PM, 80 minutes after President Kennedy was shot. But he was first charged, not with the murder of the President, but with the murder of Dallas police officer, J. D. Tippit.

Our next question: Could Oswald have made his way to the scene of Officer Tippit's murder?

RATHER. To solve the Tippit killing, it is vital to reconstruct Lee Harvey Oswald's actions from the moment of the assassination to the moment of Tippit's death. Yet for three and a half years, all news media have been barred from the Texas School Book Depository where the first critical few moments of Oswald's flight occurred. Depository officials have agreed to lift the ban for these special broadcasts and so, for the first time, we have been able to follow the path of Oswald's movements from his sniper's nest on the sixth floor.

Taking his rifle with him, Oswald went between the stacks of book cartons to the opposite corner of the sixth floor. He tucked the rifle down between stacks, and at this point probably discovered that the elevator could not be brought up, that Charles Givens, eager to see the parade, had forgotten to close the gate. So Oswald turned to the stairs and went down four flights to the second floor and to the lunchroom there, where he was next seen at about 12:31 PM, barely a minute and a half after his third shot.

In front of a coke machine a policeman at gunpoint actually stopped Oswald. But Depository Superintendent Roy Truly told the officer Oswald was an employee, and Oswald was released. Free to go, Oswald apparently crossed the second floor through this office, went down the front stairs, perhaps three minutes after the assassination, and continued out through the glass front door, well before police sealed off the Depository building.

CRONKITE. Here is how the Warren Commission reconstructed Oswald's movements after he left the Depository. He walked seven blocks down Elm Street, then took a bus on Murphy, headed for Oak Cliff. But the bus quickly became tangled in the traffic jam caused by the assassination itself. And Oswald got off, walked two blocks to Lamar, then took a cab several blocks past his rooming house on Beckley.

The Commission believes he then walked back to his apartment picked up a revolver and a lightweight jacket, and set off on foot down Beckley.

POLICE RADIO. Attention all squads. Attention all squads. The suspect in the shooting at Elm and Houston is reported to be an unknown white man, approximately 30, slender build, is possibly armed with what is thought to be a 30 calibre rifle. No further description at this time, or information. 12:45 KTB.

CRONKITE. During this period, the Dallas police radio broadcast a description of a suspect, and critics have made much of the speed with which it was sent out—just 15 minutes after the shots were fired. It asked officers to be on the lookout for a white man, slender, weighing about 165, standing about 5 feet 10 inches, in his early 30's.

Well, how did police get the description on the air in 15 minutes? Critics have questioned both the source of the description and the speed with which it was sent out. The Warren Commission admitted the source could only be guessed at. Its own guess was that it came from Howard L. Brennan, an eyewitness. The critics doubt Brennan had a good enough view of Oswald in the window to arrive at a good description. They also doubt he passed the information on to a Secret Serviceman within 10 minutes, as he later claimed.

At 1:15 PM, 45 minutes after the assassination, the Commission Report says, Officer Tippit stopped Oswald, whether because of the description or not will never be known, and was shot down. But did Oswald have time to get to Tenth and Patton in time for the fatal encounter with Tippit?

RATHER. A CBS newsman, following the Warren Commission blueprint, found that 45 minutes was ample time.

CRONKITE. The answer is yes. He could have made his way there.

(Announcement.)

CRONKITE. Why was Officer Tippit in Oak Cliff off his normal beat? Those who believe there was a conspiracy involving the Dallas police force have maintained that the meeting between Oswald and Tippit was not an accident, that Tippit may have been looking for Oswald or vice versa. They say Tippit should not have been where he was and should not have been alone in the squad car. Eddie Barker talked to police radio dispatcher, Murray Jackson:

BARKER. Officer Jackson, a lot of critics of the Warren Report have made quite a thing out of the fact that Officer Tippit was not in his district when he was killed. Could you tell us how he happened to be out of his district?

MURRAY JACKSON. Yes, sir. I have heard this several times since the incident occurred. He was where he was because I had assigned him to be where he was in the central Oak Cliff area. There was the shooting involving the President and we immediately dispatched every available unit to the triple underpass where the shot was reported to have come from.

I realized that we were draining the Oak Cliff area of available police officers, so if there was an emergency such as an armed robbery or a major accident to come up, we wouldn't have anybody there that would be in any close proximity to answer the call. And since J. D. was the outermost unit—actually I had two units: 87, which was Officer Nelson, and 78, which was Officer Tippit.

BARKER. Well, now, is—you got down to the time when Officer Tippit met his death. What transpired right prior to that? Did you—were you aware of where he was all the time?

JACKSON. No, I asked him once again what his location was sometime after and to determine that he was in the Oak Cliff area, he said he was at Lancaster and Eighth, which is on the east side of Oak Cliff, on the—in the main business district. And I did ask him once again, a few minutes later what his—I called him to ask him his location so I could keep track of him, where he was, in my mind, but he didn't answer.

BARKER. When did you realize that he was dead?

JACKSON. We had received a call from a citizen. They called us on the telephone and

the call sheet came—came to me and there was a disturbance in the street in the 400 block of East Tenth. And I had called. I said, "78," and he didn't answer. And almost immediately to this, a citizen came in on the police radio and said, "Send me some help there's been an officer shot out here." And knowing that J. D. was the only one that should have been in Oak Cliff, my reaction was to call 78, and, of course, J. D. didn't answer. So, we asked the citizen to look at the—the number on the side of the car. This was the equipment number that determined which car, which patrol car, was to be on each assigned district, and they said that it was number 10. And since I had worked with J. D. in this particular car, well, I determined to myself that with him not answering, and the equipment number, that this was Officer Tippit.

CRONKITE. The answer to this question is that he had been sent to Oak Cliff by the police dispatcher. Opponents of the Warren Report maintain that Officer Tippit was shot, not by Oswald, but by others. Who shot Officer Tippit? Eddie Barker talked to two witnesses who were on the scene of the Tippit murder. First, Domingo Benavides, who was at the wheel of a truck across the street from the scene.

DOMINGO BENAVIDES. As I was driving down the street I seen this police car, was sitting here, and the officer was getting out of the car and apparently he'd been talking to the man that was standing by the car. The policeman got out of the car and, as he walked past the windshield of the car, where it's kind of lined up over the hood of the car, where this other man shot him. And, of course, he was reaching for his gun.

And so, I was standing there, you know, I mean sitting there in the truck, and not in no big hurry to get out because I was sitting there watching everything. This man turned from the car then, and took a couple of steps and, as he turned to walk away I believe he was unloading his gun, and he took the shells up in his hand, and as he took off, he threw them in the bushes more or less like nothing really, trying to get rid of them. I guess he didn't figure he'd get caught anyway, so he just threw them in the bushes.

But he—as he started to turn to walk away, well, he stopped and looked back at me and I don't know if he figured, well, I'll just let this poor guy go, or he had nothing to do with it, or, you know, I'm not out to kill everybody, just, you know, whoever gets in my way, I guess. I gave him enough time to get around the house. Thinking he might have went in the house, I set there for maybe a second or two and then jumped out of the truck and run over. As I walked by, I didn't even slow down, I seen the officer's dead. So I just walked on—got in the car and I figured that would be the fastest way—in fact, I don't know why I called him on the radio. I just figured now that it was the fastest way to—to get a police officer out.

POLICE RADIO: Hello, police operator (STATIC), go ahead. Hello, we've got a shooting out here. Where's it at? This is the police radio. What location is it at? Between Marsalis and Beckley. It's a police officer. Somebody shot him. What—what—it's in a police car, Number 10. Hello, police operator, did you get that? Police officer, 510 East Jefferson. Thank you. 35, assist the police. . . .

BARKER. Well, now, did several other people come up later?

BENAVIDES. Immediately afterwards. I mean, it was just—all I had to do was—people I asked a block away like Mr. Callaway, he come up and he says, let's go get him, or something. And then this cab pulled up right afterwards, and so Callaway went over and took the guns—the officer's gun out of his hand.

BARKER. Callaway did go after him, did he?

BENAVIDES. Yeah, Callaway took off to go try to catch him.

TED CALLAWAY. Well, Eddie, I was standing on the front porch of the used car lot that I worked on here, and all of a sudden I heard some shooting.

In fact, I heard five shots coming from the direction behind the lot, out on Tenth Street there. Well, I come running off the side of the porch and out to the sidewalk here, and I looked up the street and I saw this man run through this hedge up here on the corner. And I saw right away that he had a gun in his hand. And he continued across the street coming in this direction. So when he got right across from me over here, just, oh, about 30 yards or less, why, I called to him and just asked him, "Hey, man, what the hell's goin' on, fella?" That's just exactly what I wondered. I didn't know who it was at the time, of course. And he looked in my direction and paused, almost stopped, and said something to me but I couldn't make out what he said. But he had this pistol in his hand, carrying it in what we used to call in the Marine Corps a raised pistol position, and then he slowed down and started walking.

Then, I ran to the corner of Tenth and Patton, and when I got there, I saw this squad car parked near the curb. And then I walked around in front of the squad car and this policeman was lying in front of the squad car.

BARKER. Dom, what about those expended shells?

BENAVIDES. Well, they were looking all over the place for evidence, I guess, and taking fingerprints and what have you. So, I guessed they was going to walk off and leave them, you know, not knowing they was there. And seeing that I knew where they was at, I walked over and—and picked up a stick and picked them up and put them in a waistcoat pocket. I think I picked up two and put them in a waistcoat pocket and then, as I was walking up, I picked the other one up by hand, I believe. And I picked them up with a stick, you know, to keep from leaving fingerprints on them, because I figured they might need them.

CRONKITE. The cartridges that Benavides picked up were positively identified as being fired in Oswald's revolver. But, only one of the four lead bullets removed from Officer Tippit's body could be positively identified with that revolver by Illinois ballistics identification expert, Joseph Nicol.

NICOL. In the examination of the projectiles, the tests and the—and the evidence projectiles were not easily matched because of a certain mechanical problem with the weapon. The—the barrel was over-sized for the size of the ammunition used, since this was a weapon originally intended for British use and it was reimported into America.

This means that the bullet, instead of touching on all surfaces going down the barrel, actually wobbles a little bit as it goes through the barrel. As a consequence, it is difficult to have it strike the same places every time that it goes through the barrel. So that the—the match on the—on the projectiles was extremely difficult.

I did find, however, that on the driving edge of the lense there were certain groups of lines which I could match on one bullet. I wasn't able to identify the others, although there was nothing to exclude them insofar as the class characteristics. All of them could have been fired in that particular weapon.

CRONKITE. One of the bullets that killed Officer Tippit was fired in Oswald's revolver. The other three could have been, according to the ballistics identification experts. Ted Callaway went to the police station that night and made a positive identification of Oswald in a line-up. But Mr. Benavides did not do so. Eddie Barker asked him if he were sure Oswald did the shooting.

BARKER. Is there any doubt in your mind that Oswald was the man you had seen shoot Tippit?

BENAVIDES. No, sir, there was no doubt at all. I could even tell you how he combed his hair and the clothes he wore and what have you, all the details. And if he had a scar on his face, I could probably have told you about it, but—you don't forget things like that.

CRONKITE. The answer to this question, despite the problem of the ballistic evidence, is that Lee Harvey Oswald shot J. D. Tippit.

What of the theory that Tippit actually knew Oswald? It's not easy to prove that someone did not know someone else. But every attempt to pin down the rumor that the two men knew each other has ended in failure. There is nothing in the circumstances surrounding Tippit's death to suggest any kind of conspiracy.

Mrs. Tippit says flatly that neither she nor her husband new Oswald. Officer Jackson was among Tippit's closest friends and had been for years. Eddie Barker put the question to him.

BARKER. Do you have any reason to believe that Officer Tippit knew Lee Harvey Oswald?

JACKSON. I don't believe there is a possible connection at all. No. I don't think that he knew Oswald.

BARKER. Did you know Oswald?

JACKSON. No, I didn't either.

RATHER. Thirty-five minutes after Officer Tippit's murder Oswald was captured in the Texas Theatre. Johnny Brewer, a shoe clerk, had spotted him in the doorway, and watched while he slipped into the theatre. Brewer spoke to the cashier. She called police.

The next 48 hours were filled with confusion. An army of newsmen jammed into the Dallas Police Building. Oswald was paraded through the halls, to and from questioning sessions.

Police Chief Jesse Curry and District Attorney Henry Wade said repeatedly they expected to prove Oswald guilty, although he maintained to the last he was not.

No record was made of his interrogation.

Sunday, November 24th, the mob scene continues, as Oswald is brought into the basement of the Police Building for transfer to the jail. And then, in full sight of millions of television viewers, a man named Jack Ruby surges through the crowd and shoots Lee Oswald dead.

CRONKITE. Why? A fateful meeting of deranged minds? Or some twisted conspiracy? Why did Ruby kill Oswald?

RATHER. This is the world of Jack Ruby. A world of neon and female flesh, of bumps and grinds, and watered drinks.

Ruby operated a pair of sleezy nightclubs, The Carousel and The Vegas. In the free and easy atmosphere that seemed to characterize the boom city Ruby was also a hanger-on of the police, entertaining off-duty officers in his strip joints, often carrying sandwiches over to the Police Building for his on-duty friends.

These are some of the people of Jack Ruby's world—his roommate, a competing nightclub owner, and two of Jack Ruby's girls.

Mr. Weinstein, why do you think Jack Ruby shot Lee Harvey Oswald?

BARNEY WEINSTEIN. I think it was on the spur of the moment, that he really wanted to make himself look like a big man. And he thought that would make him above everybody else, that the people would come up and thank him for it, that people would come around and want to meet him and want to know him, "This is the man that shot the man that shot the President."

RATHER. Why do you think Jack shot Oswald?

ALICE. Oh, I think that it was mostly an impulsive act. And Jack also, I believe, felt that so many people at the time were saying, "They ought to kill him," and this and that, that he—in my personal opinion, Jack thought this would just bring him a—a sensational amount of business, and he would just really be a hero.

RATHER. Diana, why do you think Jack shot Oswald?

DIANA. I think that he came down there

just to see what was going on, and when he saw that sneer on Oswald's face—that's all it would take to snap Jack, the way Oswald's mouth was curled up, you could even see it in the picture. I think when he saw that look was when he decided to shoot him. Not when he was coming down. And I think he did it because he thought that it was a service to his country, in his way of thinking. That was the way he thought.

GEORGE SENATOR. I don't believe that Jack Ruby ever took any secrets to his grave. I've been—I've been around him too long, and I've lived with him too long. And I'm certain he told the truth right up until his death. And I'll never can be—and I'll never be convinced otherwise. There is nothing he ever hid. The public knew everything he ever said, or heard.

CRONKITE. Jack Ruby was convicted of the murder of Oswald, but the conviction was reversed by an Appeals Court which held that an alleged confession should not have been admitted.

Ruby died six months ago of cancer, maintaining to the last that he was no conspirator, that he had killed Oswald out of anger and a desire to shield Jacqueline Kennedy from the ordeal of a trial at which she would have had to appear as a witness.

Dallas police had alerted the press that Oswald would be moved to the County Jail shortly after 10:00 AM on November 24th. That departure was delayed. Yet a receipt shows that Ruby was sending a money order to one of his strippers from a Western Union office across from the courthouse at 11:17 AM, when anyone premeditating murder in the courthouse basement would already have stationed himself there. In fact, it was probably the activity around the courthouse entrance which caught Jack Ruby's eye as he left the Western Union office. Ruby was carrying a pistol because he was carrying money. He was accustomed to wander in and out of the Police Building at will.

The Oswald murder today still appears to have been not a conspiracy, but an impulse—meaningless violence born of meaningless violence.

PART VI

ANNOUNCER. A CBS News Inquiry: "The Warren Report" continues. Here again is Walter Cronkite.

CRONKITE. But the most recent, most spectacular development in the Oswald case involves the C.I.A. It involves, too, the spectacular District Attorney of New Orleans, a man they call the Jolly Green Giant. It involves an arrest, hypnotism, truth serum, bribery charges, and for the first time, an outline of a conspiracy. It certainly accounts for the recent national upsurge of suspicion concerning the conclusions of the Warren Report. And it raises a new question: Was the assassination plotted in New Orleans?

Mike Wallace reports.

WALLACE. New Orleans District Attorney Jim Garrison quietly began his own investigation of the assassination last fall. In a sense, he picked up where the Warren Commission had left off. Warren investigators questioned a number of people in New Orleans after the assassination, and they failed to implicate any of them. But the more Garrison went back over old ground apparently, the more fascinated he became with the possibility that a plot to kill President Kennedy actually began in New Orleans. By the time the story of his investigation broke four months ago he seemed supremely confident that he could make a case, that he had solved the assassination.

GARRISON. Because I certainly wouldn't say with confidence that we would make arrests and have convictions afterwards if I did not know that we had solved the assassination of President Kennedy beyond any shadow of a doubt. I can't imagine that people would think that—that I would guess and say something like that rashly. There's no question about it. We know what cities were involved, we know how it was done in—in the essential respects. We know the key individuals involved. And we're in the process of developing evidence now. I thought I made that clear days ago.

WALLACE. He shocked New Orleans four months ago by arresting the socially prominent Clay Shaw, former director of the New Orleans International Trade Mart.

Garrison's charge was that Shaw had conspired with two other men to plot the assassination of President Kennedy. Garrison said Shaw had known David Ferrie, an eccentric former airline pilot who was found dead a week before Garrison had planned to arrest him. Incidentally, the coroner said Ferrie died of natural causes. But Garrison called it suicide.

He said Shaw also knew Lee Harvey Oswald; that Ferrie, Oswald, and Shaw met one night in the summer of 1963 and plotted the President's death. Clay Shaw said it was all fantastic.

SHAW. I am completely innocent of any such charges. I have not conspired with anyone, at any time, or any place, to murder our late and esteemed President John F. Kennedy, or any other individual. I have always had only the highest and utmost respect and admiration for Mr. Kennedy.

The charges filed against me have no foundation in fact or in law. I have not been apprised of the basis of these fantastic charges, and assume that in due course I will be furnished with this information, and will be afforded an opportunity to prove my innocence.

I did not know Harvey Lee Oswald, nor did I ever see or talk with him, or anyone who knew him at any time in my life.

WALLACE. A preliminary hearing for Shaw was held two weeks after his arrest. The hearing was complete with a surprise mystery witness, Perry Raymond Russo, twenty-five-year-old insurance salesman, and friend of the late David Ferrie. Through three days of intense cross-examination Russo held doggedly to his story, that he himself had been present when Shaw, Ferrie, and Oswald plotted the Kennedy assassination. Russo admitted at the hearing that he had been hypnotized three times by Garrison men.

A writer for The Saturday Evening Post said he read transcripts of what went on at those sessions. The writer suggested that Russo's entire performance at the hearing was the product of post-hypnotic suggestion. Clay Shaw was ordered held for trial. It could be months before the trial actually takes place.

Meanwhile, various news organizations have reported serious charges against Jim Garrison and his staff, alleging bribery, intimidation, and efforts to plant and/or manufacture evidence against Shaw. Last month Newsweek Magazine said Garrison's office had tried to bribe Alvin Beauboeuf, the twenty-one-year-old former friend of David Ferrie. Beauboeuf, the magazine said, was offered three thousand dollars to supply testimony that would shore up the conspiracy charge against Shaw.

Garrison promptly released an affidavit Beauboeuf had signed. The affidavit said no one working for Garrison had ever asked Beauboeuf to tell anything but the truth.

Subsequently, New Orleans police investigated the Beauboeuf charge and said Garrison's men had been falsely accused. But that was just the beginning. Three more bribery accusations have since come to light, two involving Louisiana prison inmates, one involving a nightclub and Turkish Bath operator. In each of those cases the charges that rewards were offered in return for allegedly false testimony or other help that would implicate Clay Shaw. We will hear Garrison's comment on those charges later in the broadcast.

Meanwhile, Garrison has gone on to include Jack Ruby in the alleged conspiracy involving Shaw and Lee Harvey Oswald. Garrison says Jack Ruby's unlisted telephone number in 1963 appears in code in address books belonging to Shaw and Oswald. He says both books note the Dallas Post Office box number 11906. Ruby's unlisted phone number was WHitehall-1 5601. And Garrison furnished a complicated formula for converting PO 11906 to WH-1 5601.

Louisiana Senator Russell Long, appearing on Face the Nation a few days later, explained how the code works.

LONG. . . . so if you take the P and the O, and you use a telephone dial, P gives you seven, O gives you six. You add seven and six together and you get thirteen. Then you take the 19106, and you work on a A B C D E F—the A B C D E basis, so you put A—A falls—comes ahead of E. Then you put D behind C. And you reconstruct the numbers, and that—and then you subtract thirteen hundred, which you got for the P O, and that gives you Ruby's unlisted telephone number.

WALLACE. A Dallas businessman named Lee Odom had that Dallas Post Office box for a while in 1966. He said he didn't know how the number got in Oswald's address book, but he could explain how it got in Shaw's. Odom said he met Shaw when he went to New Orleans looking for a place to hold a bloodless bullfight.

ODOM. When I got to New Orleans, and I got there—it was late, and so I wanted to see what New Orleans—my first trip to New Orleans. And I went to Pat O'Brien's, and that's where I met Mr. Shaw. I was sitting, drinking at the bar, and he was sitting next to me, and I got to talking to him about the—if he thought a bullfight might go over good in—in New Orleans. And he said that he thought it would, and we introduced each other. He was in the real estate business, and said he might be able to help me. So the next day, why, we had lunch together, and tried to find out about a place to have a bullfight. Made two or three phone calls, and—we didn't find any place. So when I got ready to leave there, I give him my name and my box number, which I saw him write in his little book. And I never heard from him after that. But that's how the number got in the book.

WALLACE. The number 19106 does appear in Oswald's address book, although some say the letters in front of it are not P O, but Russian letters. No one knows when Oswald made the entry.

Garrison has expanded the scope of his charges to include not only a Shaw-Oswald-Ruby link, but the C.I.A. as well. Further, Garrison says he knows that five anti-Castro Cuban guerrillas, not Lee Harvey Oswald, killed President Kennedy. He says the C.I.A. is concealing both the names and the whereabouts of the Cubans.

In an interview with Bob Jones of WWL-TV, New Orleans, he discussed proof that the guerrillas were there at Dealey Plaza in Dallas.

GARRISON. We have even located photographs in which we can—we have found the—the men behind the grassy knoll, and the—and the stone wall, before they dropped completely out of sight. There were five of them. Three behind the stone wall, and two behind the grassy knoll. And they're not quite out of sight. And they've been located in other photographs, by process of bringing them out. Although they're not distinct enough you can make an identification from their faces.

WALLACE. This is one of the photographs Garrison is talking about, shown first with an overlay. Those roughly-drawn figures at the bottom of the page could be the men Garrison believes he sees through the little holes at the top. Now we remove the overlay to see the photograph itself—a hazy blowup of an area from a larger picture. If there are men up there behind the wall, they definitely cannot be seen with the naked eye.

I asked Garrison if he would sort it all out, if he could summarize his investigation, and put it in perspective.

GARRISON. About the New Orleans part, I don't like to sound coy, but it is impossible to talk about the New Orleans details without touching somehow on the case. And I'm not going to take any chances about reflecting on Mr. Shaw, or this case. We've worked too hard for me to ruin it by casual comment.

WALLACE. Four months ago you said that you had solved the assassination. At that time you didn't even know Perry Russo. And yet Perry Russo, it turns out, is your main witness in the preliminary hearing.

GARRISON. Right.

WALLACE. Is he still your main witness?

GARRISON. No.

WALLACE. Are there others?

GARRISON. No. There are others, and I would not describe Perry Russo as the main witness. But let me say this, that the major part of our case, up to that time, was circumstantial. Again, I don't want to touch in any way on the case against the defendant, but we knew months before that the key people involved but there was no basis for moving at that time.

WALLACE. You say that Lee Harvey Oswald did not kill President Kennedy. Who, then, did kill him?

GARRISON. Well, first of all, if I knew the names of the individuals behind the grassy knoll, where we know they were, and the stone wall, I certainly would not tell you, and couldn't here. There is no question about the fact they were there. There's no question in our minds what the dominant race of these individuals was. And there's no question about the motive. In the course of time we will have the names of every one of them. The reason for Officer Tippitt's murder is simply this: it was necessary for them to get rid of the decoy in the case—Lee Oswald . . . Lee Oswald. Now, in order to get rid of him—so that he would not later describe the people involved in this, they had what I think is a rather clever plan. It's well-known that police officers react violently to the murder of a police officer. All they did was arrange for an officer to be sent out to Tenth Street, and when Officer Tippitt arrived there he was murdered, with no other reason than that. Now, after he was murdered, Oswald was pointed to, sitting in the back of the Texas Theatre where he'd been told to wait, obviously.

Now, the idea was, quite apparently, that Oswald would be killed in the Texas Theatre when he arrived, because he'd killed a "bluecoat." That's the way the officers in New Orleans use the phrase. "He killed a bluecoat." But the Dallas police, at least the arresting Dallas police, fooled them because they had apparently, too much humanity in them, and they did not kill him.

WALLACE. All right, there is Lee Harvey Oswald at the back of the Texas Theatre—then what?

GARRISON. Well, then notification is gotten to the police of this suspicious man in the back of the theatre, and you know the rest. But the—the Dallas police, apparently, at least the arresting police officers, had more humanity in them than the planners had in mind. And this is the first point at which the plan did not work completely. So Oswald was not killed there. He was arrested. This left a problem, because if Lee Oswald stayed alive long enough, obviously he would name names and talk about this thing that he'd been drawn into. It was necessary to kill him.

WALLACE. That's where Jack Ruby comes into the picture.

GARRISON. That's right. It was necessary for one of the people involved to kill him.

WALLACE. Mr. Garrison, obviously we're not going to try the case of Clay Shaw here on television, but some people, some journalists and others, have charged that you have tried to bribe, to hypnotize, to drug witnesses in order to prove your case against Shaw.

GARRISON. That's right. I understand that the latest—latest news by a New York Times writer is that we offered an ounce of heroin and three months' vacation to one—as a matter of fact, this is part of our incentive program for convicts. We also have six weeks in the Bahamas, and we give them some LSD to get there.

This—this—this attitude of skepticism on the part of the press is an astonishing thing to me, and a new thing to me. They have a problem with my office. And one of the problems is that we have no political appointments. Most of our men are selected by recommendations of deans of law schools. They work 9:00 to 5:00, and we have a highly professional office. I think one of the best in the country. So they're reduced to making up these fictions. We have not intimidated a witness since the day I came in office.

WALLACE. One question is asked again and again: Why doesn't Jim Garrison give his information, if it is valid information, why doesn't he give it to the Federal Government? Now that everything is out in the open the C.I.A. could hardly stand in your way again, could they? Why don't you take this information that you have and cooperate with the Federal Government?

GARRISON. Well, that would be one approach, Mike. Or I could take my files and take them up on the Mississippi River Bridge and throw them in the river. It'd be about the same result.

WALLACE. You mean, they just don't want any other solution from that in the Warren Report?

GARRISON. Well, isn't that kind of obvious? Where do you think that pressure's coming from, that prevents witnesses and defendants from being brought back to our state?

WALLACE. Where is that pressure coming from?

GARRISON. It's coming from Washington, obviously.

WALLACE. For what reason?

GARRISON. Because there are individuals in Washington who do not want the truth about the Kennedy murder to come out.

WALLACE. Where are those individuals? Are they in the White House? Are they in the C.I.A.? Are they in the F.B.I.? Where are they?

GARRISON. I think the probability is that you'll find them in the Justice Department and the Central Intelligence Agency.

WALLACE. You're asking a good many questions, but you haven't got the answers to those questions. You have a theory as to why indeed the President might have been assassinated by a group of dissidents. . . .

GARRISON. No. Your statement is incorrect. We have more than a theory. We have conversations about the assassination of the President of the United States, and it does not include only the conversation brought out at the preliminary hearing.

We have money passed, with regard to the assassination of the President of the United States. We have individuals involved in the planning. And we can make the case completely. I can't make any more comments about the case, except to say anybody that thinks it's just a theory is going to be awfully surprised when it comes to trial.

WALLACE. Garrison says Clay Shaw used the alias Clay Bertrand, or Clem Bertrand. At Shaw's preliminary hearing Perry Russo testified that Shaw used the name Clem Bertrand the night of the alleged meeting to plot the assassination. It was obviously a crucial point in Garrison's presentation at that hearing.

But a week ago NBC said it has discovered that Clay Bertrand is not Clay Shaw. NBC said the man who uses that alias is a New Orleans homosexual, whose real name—not disclosed in the broadcast—has been turned over to the Justice Department.

CRONKITE. Garrison's problems multiplied yesterday. His chief aide, William Gurvich, who conferred recently with Senator Robert Kennedy, abruptly resigned.

Gurvich was questioned by Bill Reed, News Director of WWL-TV, New Orleans, and CBS News reporter Edward Rabel.

RABEL. Mr. Gurvich, why did you resign as Mr. Garrison's chief aide in this investigation?

GURVICH. I was very dissatisfied with the way the investigation was being conducted, and I saw no reason for the investigation—and decided that if the job of an investigator is to find the truth, then I was to find it. I found it. And this led to my resignation.

RABEL. Well, what then is the truth?

GURVICH. The truth, as I see it, is that Mr. Shaw should never have been arrested.

RABEL. Why did you decide to see Senator Robert Kennedy?

GURVICH. Ed, I went to Senator Kennedy because he was a brother of the late President Kennedy, to tell him we could shed no light on the death of his brother, and not to be hoping for such. After I told him that, he appeard to be rather disgusted to think that someone was exploiting his brother's death, and—by bringing it up, over and over again, and doing what has been done in this investigation.

REED. There's been talk of allegations, of wrong-doing, of coercion, of possible bribery on the part of investigators—of certain investigators for the District Attorney. To your knowledge, are these allegations true?

GURVICH. Unquestionably, things have happened in the District Attorney's Office that definitely warrants an investigation by the Parish Grand Jury, as well as the Federal Grand Jury.

REED. Would you say these methods were illegal?

GURVICH. I would say very illegal, and unethical.

REED. Can you give us any specifics?

GURVICH. I would rather save that for the Grand Juries, Bill, if I may.

REED. Is this on the part of just one or two investigators, or does it involve the whole Staff, or perhaps Mr. Garrison. . .

GURVICH. It involves more than two people.

REED. More than two people. Do you believe Mr. Garrison had knowledge of these activities?

GURVICH. Yeah—of course, he did. He ordered it.

REED. He ordered it?

GURVICH. He ordered it. Yes, sir.

RABEL. Why did he feel it was necessary to order such activities?

GURVICH. That I cannot explain. I am not a psychiatrist.

REED. Mr. Garrison said the C.I.A. has attempted to block his investigation . . .

GURVICH. His purpose for bringing the C.I.A. in, Bill, is this: As he put it, they can't afford to answer. He can say what he damn well pleases about that agency, and they'll never reply.

CRONKITE. Mr. Garrison is the only critic who has been in a position to act on his beliefs. He has brought Clay Shaw before the courts of Louisiana, and until that case is tried we cannot, with propriety, go deep into the details of the evidence, or reach any final conclusions concerning the case or the allegations concerning Clay Shaw.

Mr. Garrison's public statements, however—and there's been no shortage of them—are fair targets. They have consistently promised startling proof, but until the trial Mr. Garrison's promises remain just that, and cannot be tested.

But the whole atmosphere of his investigations, and the charges that have been made by news organizations concerning it, are not such as to inspire confidence. It may be that Garrison will finally show that there was a lunatic fringe in dark and devious conspiracy. But, so far, he has shown us nothing to link the events he alleges to have taken place in New Orleans, and the events we know to have taken place in Dallas.

Those events, events surrounding the assassination itself, we have now examined to the best of our ability. On Sunday night we considered whether Lee Harvey Oswald had shot the President. We concluded that he had. Last night we asked if there was more than one assassin. We concluded there was not, and that Oswald was a sole assassin.

Tonight we've asked if there was a conspiracy involving perhaps Officer Tippit, Jack Ruby, or others. The answer here cannot be as firm as our other answers, partly because of the difficulty, cited in the Warren Report, of proving something did not happen. But partly, too, because there remains a question as to just what Jim Garrison will produce in that New Orleans courtroom.

But on the basis of the evidence now in hand at least, we still can find no convincing indication of such a conspiracy. If we put those three conclusions together, they seem to CBS NEWS to tell just one story—Lee Harvey Oswald, alone, and for reasons all his own, shot and killed President Kennedy. It is too much to expect that the critics of the Warren Report will be satisfied with the conclusion CBS NEWS has reached, any more than they were satisfied with the conclusions the Commission reached.

Mark Lane, for example, the most vocal of all the critics, has a theory of his own.

BILL STOUT. If you would give us, briefly, Mr. Lane, your version of what happened there that day.

LANE. Well, I think—if I can use this model, I think the evidence indicates—of course, the car came down Main, up here, and down to Elm Street, and was approximately here when the first shot was fired. The first shot struck the President in the back of the right shoulder, according to the F.B.I. report, and indicates therefore that it came from some place in the rear—which includes the possibility of it coming from the Book Depository Building.

The second bullet struck the President in the throat from the front, came from behind this wooden fence, high up on a grassy knoll. Two more bullets were fired. One struck the Elm—the Main Street curb, and caused some concrete, or lead, to scatter up and strike a spectator named James Tague in the face. Another bullet, fired from the rear, struck Governor Connally in the back. As the limousine moved up to approximately this point, another bullet was fired from the right front, struck the President in the head, drove him—his body, to the left and to the rear, and drove a portion of his skull backward, to the left and to the rear. Five bullets, fired from at least two different directions, the result of a conspiracy.

CRONKITE. An even more elaborate account is given by William Turner, a former F.B.I. agent, who has become a warm supporter of District Attorney Garrison.

TURNER. Now, what happened there was that the Kennedy motorcade coming down there, the Kennedy limousine—there were shots from the rear, from either the Dallas School Book Depository Building, or the Dell Mart, or the courthouse; and there were shots from the grassy knoll. This is triangulation. There is no escape from it, if it's properly executed.

I think the massive head wound, where the President's head was literally blown apart, came from a quartering angle on the grassy knoll. The bullet was a low velocity dum-dum mercury fulminate hollow-nose, which were outlawed by The Hague Convention, but which are used by para-military groups. And that the whole reaction is very consistent to this kind of weapon. That he was struck, and his head—doesn't go directly back this way, but it goes back and over this way, which would be consistent with the shot from that direction, and Newton's Law of Motion.

Now, I feel also that the escape was very simple. Number one, using a revolver or a pistol, the shells do not eject, they don't even have to bother to pick up their discharged shells. Number two, they can slip—put the gun under their coat, and when everybody comes surging up there they can just say, "He went that-a-way." Very simple. In fact, it's so simple that it probably happened that way.

CRONKITE. In the light of what we have exposed over the past three evenings, it's difficult to take such versions seriously. But unquestionably there are those who will do so, and it is their privilege.

Our own task is not yet over. We must still ask whether the Warren Commission did all that was asked of it, whether other arms of the government acted as they should have acted, whether another commission might cast new light upon the assassination. We must ask also whether there are fundamental and profound human reasons for the aura of disbelief that surrounds the Warren Report. We will deal with all those matters tomorrow night, in the last portion of this inquiry.

But this is a natural moment to pause, and to sum up what we think we have learned.

Dan, you were in Dealey Plaza on the day of the assassination. You've been back there several times since, when we did the first Warren Report, and now in recent days to prepare this report. You've been up in that window. We've looked out that window with you. But, subjectively, what is the Oswald-eye view of the assassination site?

RATHER. It was an easy shot. A much easier shot than even it looks in our pictures. The range was such, the angle was such, that it did not take an expert shot, one man, to do what the Warren Commission says was done from there.

CRONKITE. Eddie, as News Director of our esteemed affiliate, KRLD-TV in Dallas, you've been right in the vortex of this thing since the moment of the assassination. What about the people of Dallas themselves? Do they agree with the Warren Commission Report?

BARKER. Walter, I think that on a cross-section basis, the percentage that had some doubt about it would be about what it would be across the country. Certainly there are people who have some doubts about it. But most of the doubters, I think, are those who come to Dallas, and who come into our newsroom, as a matter of fact. They bring a lot of questions. But so far none of them have brought any answers.

CRONKITE. That's the problem we all have, isn't it? And let me ask each of you in turn this question: Are you contented with the basic finding of the Warren Commission?

RATHER. I'm contented with the basic finding of the Warren Commission, that the evidence is overwhelming that Oswald fired at the President, and that Oswald probably killed President Kennedy alone. I am not content with the findings on Oswald's possible connections with government agencies, particularly with the C.I.A. I'm not totally convinced that at some earlier time, unconnected with the assassination, that Oswald, may have had more connections than we've been told about, or that have been shown. I'm not totally convinced about the single bullet theory. But I don't think it's absolutely necessary to the final conclusion of the Warren Commission Report. I would have liked more questioning, a more thorough going into Marina Oswald's background. But as to the basic conclusion, I agree.

CRONKITE. Eddie?

BARKER. I agree with it, Walter. It's too bad, of course, that Oswald didn't have his day in court. But I felt the night of November 22nd that he was the one who had shot the President, and nothing has come to light since then to change my opinion a bit.

CRONKITE. It is difficult to be totally content. Yet experience teaches all of us that any complex human event that is examined scrupulously and in detail will reveal improbabilities, inconsistencies, awkward gaps in our knowledge. Only in fiction do we find all the loose ends neatly tied. That is one of the ways we identify something as fiction.

Real life is not all that tidy. In 1943 Lieutenant John F. Kennedy came under enemy fire behind Japanese lines in the Pacific. His PT boat was destroyed. His back, already weak, was re-injured. Yet he swam three miles, towing a wounded shipmate, found shelter on an island, escaped Japanese search, encountered natives who carried messages back to American forces, crossed undetected through enemy waters as enemy planes hovered overhead, and survived to become President.

The account of his survival is full of improbabilities, coincidences, unknowns. So is the account of his death. So would be the account of your life, or mine, or the life of any one of us.

Concerning the events of November 22nd, 1963, in Dealey Plaza, the report of the Warren Commission is probably as close as we can ever come now to the truth. And yet if the Warren Commission had acted otherwise three years ago, if other government agencies had done differently then, would we today be even closer to the truth?

Tomorrow we will consider not the assassination, but the work of the Commission that was appointed to study it. For the first time a member of that Commission, John J. McCloy, will publicly discuss its work and its findings. Members of the Commission staff, and one of the Commission's most persuasive critics, Edward J. Epstein, will be heard. And we will ask, although we may not be able to answer, two last questions:

Should America believe the Warren Report?

Could America believe the Warren Report?

SCORE ONE FOR THE GOOD GUYS

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, a refreshing article has come out of London via the Christian Science Monitor, to the effect that—

> Politicians and bureaucrats who think that official status puts them above the law have heard some straight talk from three judges . . .

The article is an account of the citizen winning a skirmish with the bureaucracy over local control or Government control and which side has the say in determining the shape of the school system. But more importantly, the article notes that in Britain, as here, persons "are deeply concerned over what they consider Labor—liberal party—intolerance of checks or balances to the exercise of the power of bureaucracy."

Change for the sake of change, "without adequate preparation," and without the consideration of the persons involved, has for once got stopped in its tracks, if only momentarily.

It is important that "the appeal judges were not concerned with the rights or wrongs of comprehensive education. Neither were they concerned with the wisdom of the changeover. Their duty was to pass judgment on whether the law had been fulfilled," and they concluded that "It is essential that bureaucracy should be kept in its place."

For those who, like these citizens, see too often instances of the "continuing

erosion of freedom by socialist theories," I include the news article in the RECORD.

Those who do not see the washout at their feet, but should, are also welcome to read it.

[From the Christian Science Monitor, Aug. 28, 1967]

SCHOOL BALK: BRITISH PARENTS WIN TILT

(By Melita Knowles)

LONDON.—Politicians and bureaucrats who think that official status puts them above the law have heard some straight talk from three judges in the Court of Appeal here.

The reverberations are spreading across the country.

"It is essential that bureaucracy should be kept in its place," Lord Justice Danckwerts said.

Lord Denning, Master of the Rolls, Lord Justice Diplock and Lord Danckwerts had spent two days considering the case of eight Borough of Enfield ratepayers and a parents association.

The parents want to retain the present character of education in this north London borough—primary, secondary, and grammar schools.

The borough wants to switch to a different system—comprehensive (nonselective) schools. And it hoped to complete part of the changeover by Sept. 7, the start of the new term.

INJUNCTION GRANTED

But the parents won their case. A temporary injunction—previously refused by the High Court—to delay the changeover was granted against the borough council. It remains in force until there can be a full trial.

The appeal judges were not concerned with the rights or wrongs of comprehensive education. Neither were they concerned with the wisdom of the changeover. Their duty was to pass judgment on whether the law—the Education Act of 1944—had been fulfilled. They concluded that the council had acted illegally on several counts.

The case, however, has fanned out far beyond the issue of comprehensive schools.

The eight Enfield ratepayers are being hailed as champions of liberty. For the countrywide drive to change over to comprehensive schools, with the consequent disappearance of grammar schools, is seen by many as one more step in the continuing erosion of freedom by socialist theories.

PREPARATION STRESSED

Liberal-minded Britons are deeply concerned over what they consider Labor intolerance of checks or balances to the exercise of the power of bureaucracy.

Even some advocates of comprehensive education regret the tendency on the part of local authorities—urged on by the Department of Education—to change their whole education setup without adequate preparation.

Edward Heath, Conservative opposition leader—a consistent critic of councils which establish comprehensive schools in unsuitable buildings and without adequate thought—was quick to react to the injunction against Enfield.

Mr. Heath instructed the Tory Central Office to contact leaders of Conservative groups throughout the country. They were to examine, he said, all socialist schemes for secondary-school reorganization.

RETHINKING NEEDED

The local associations were to ask:

Have parents been given a chance to raise objections?

Can they prevent "ill-thought-out" schemes going into effect?

The Tory Central Office also announced that it did not believe the Enfield ruling afforded justification for the Secretary for Education to introduce new legislation to supplant the Education Act of 1944. This is being pressed by supporters of comprehensive education.

FAVORABLE EDITORIAL COMMENT FOR DEESCALATION

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MORSE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MORSE of Massachusetts. Mr. Speaker, I continue to call the attention of the House to the favorable editorial comment that the July 10 gradual, reciprocal deescalation of the conflict in Vietnam put forward by the eight Republican Members has received around the country.

Today I include for the RECORD, editorials from the Kerrville, Tex., Times, the Sault Ste. Marie, Mich., Evening News, the Eugene, Oreg., Register-Guard, the Portland Oregon Journal, the Klamath Falls, Oreg., Herald & News, and the Coos Bay, Oreg., World:

[From the Kerrville (Tex.) Times, July 19, 1967]

DEESCALATE?

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representative Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know.

Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

[From the Sault Ste. Marie (Mich.) Evening News, July 28, 1967]

ESCALATE OR DEESCALATE?

(By Don Oakley)

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For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vitnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

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Thus, should the North Vietnamese fail to respond to the first bombing limitations, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in

the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Eugene (Oreg.) Register Guard, July 7, 1967]

STOPPING THE BOMBING BY DEGREES

Congressman John Dellenback dropped in the other day to talk about war, peace, politics, the price of groceries and other matters that concern a congressman. Uppermost in his mind was Vietnam. In his customary way he rejected the easy answers such as "victory," "pull out" and "negotiate," knowing that under present conditions none is a real answer. But negotiation, he feels, is the eventual answer—if that can be achieved.

Many advocates of peace in Southeast Asia seem to feel that if only the United States would stop bombing North Vietnam, peace feelers would go out, Hanoi's diplomats would show up with their briefcases and talks could begin. The hang-up comes in North Vietnam's reported insistence that the stopping of the bombing be "unconditional." That's an unrealistic demand. There must be a condition in any agreement. In this case the condition is that the stopping of the bombing result in some show of conciliation on the other side. If that condition is not imposed, then the "unconditional" stopping of the bombing is simply an open invitation to North Vietnam to ship down more ordnance for use against American boys.

The Congressman came up with an idea to test North Vietnam's willingness to negotiate. It would also test the validity of the theory that only a stopping of bombing stands between war and negotiation. He recommends stopping the bombing by degrees.

Announce, he says, that the United States will not bomb north of a certain point. But keep the heat on territory to the south of that point. This would end the punishment of one strip of territory while still preventing the movement of war materiel into the South. Wait for a hint that negotiations might be forthcoming.

If that doesn't work, move the line farther south, agreeing not to bomb an even larger area. But keep the heat on south of that point.

If that doesn't work, try again.

And again.

Meanwhile, though, don't let the North Vietnamese move arms and equipment into the South.

But suppose America drops its line south the whole way to the so-called demilitarized zone and Hanoi still shows no signs of negotiations?

Mr. Dellenback's answer is substantially that of George Mitrovich, a field worker for Negotiation. Now, a group dedicated to bringing the war to the conference table. Mr. Mitrovich, when he was in Eugene six weeks ago, pointed out that if North Vietnam would not negotiate under any conditions, then the world would at least know who was blocking negotiations. (As if the world should not know already.) Presumably, Mr. Mitrovich said, the war would go on. Mr. Dellenback sadly agrees.

But, the Congressman said, this dropping back and thus sparing much of North Vietnam can show American good faith in wanting to negotiate. And it can't hurt the war effort if, at the same time we keep bombing the neck of the bottle, where the supplies flow into the South.

Mr. Dellenback's idea has merit. It would not doom American troops to facing more armor from the North. Yet, it would show our good faith and give the North Vietnamese a chance to show theirs.

[From the Eugene (Oreg.) Register Guard, July 13, 1967]

DELLENBACK'S PLAN

When Congressman John Dellenback was in Eugene a week ago, he spoke of a forthcoming plan for gradually reducing the bombing of North Vietnam, in return for some show of interest by Hanoi. That plan took shape in Washington Monday in a declaration by eight Republican congressmen, including Mr. Dellenback.

The Republicans would have the bombing stop at the 21st parallel for 60 days. This would spare Hanoi, but not Haiphong. If North Vietnam responded with de-escalation of its own, the line would be drawn at the 20th parallel, south of Haiphong, for 60 days. Continued North Vietnamese interest in scaling down the intensity of the war would result in a further pulling back of American planes.

However, Mr. Dellenback explained from Washington, he would not favor a continued curtailment of the bombing unless Hanoi were to respond favorably. "That would just be playing into their hands," he said.

The eight Republicans agreed that the plan is no panacea for settling the war. But it is a fresh idea, and fresh ideas are in short supply. And it would test the good faith of North Vietnam. It is not the "unconditional" halting of the bombing that Hanoi says it wants. But it could easily become that—if North Vietnam is interested enough to stop its pressure on the south.

[From the Oregon Journal (Portland), July 14, 1967]

THE TUNNEL IS STILL DARK

There was not much ground for optimism in the public statements of Defense Secretary Robert S. McNamara as he finished his ninth inspection trip to Vietnam this week.

He said he thought the military operations there were going very well, but that the pacification effort is moving very slowly and is not likely to make dramatic progress in the future. Since pacification—the attempt to protect South Vietnamese villages from attack and to build up their self-government and economic strength—is the whole purpose of the Vietnam war, that is hardly cheerful news.

Back in Washington, McNamara conferred with President Johnson and then announced that 20,000 to 30,000 more U.S. troops will be sent to Vietnam in the next 90 days, to join the 464,000 already there. This is a lot less than the 100,000 additional men the generals reportedly have been asking for, but McNamara didn't say, either, what might happen after 90 days are up.

There is nothing in all this to change the prospect that the Vietnam war will be long and increasingly costly—both in blood over there and in higher taxes back here in the United States. The one thing that might change it would be development of some kind of peace negotiations, with or without a cease-fire. Lately the Johnson administration has given no public indication of new initiatives to bring about peace talks, having been rebuffed by North Vietnam in previous attempts. But a number of efforts to prod the administration into new initiatives are being heard.

One, called Negotiation Now! is a nationwide campaign to gather citizen signatures on a petition the heart of which urges the United States to halt unconditionally its bombings of North Vietnam. Another is a call recently put out by eight Republican members of the House of Representatives, including Rep. John Dellenback of Oregon, urging a gradual rollback, of the bombing from north to south in North Vietnam, provided the North Vietnamese government responds with corresponding reductions in its war effort.

Both of these movements are responsible in that they do not suggest one-sided U.S. abandonment of South Vietnam, and they recognize that the North Vietnamese and National Liberation Front have some de-escalating to do, too. The petition of Negotiation Now! fails to answer the point made, by President Johnson that each of the five bombing halts we have tried so far has been used by North Vietnam to increase its flow of men and supplies to the south, and so to increase the danger to American troops there. The Republican congressmen's proposal for the gradual withdrawal of bombing, parallel by parallel, better meets this objection.

There is no reason to doubt that if President Johnson knew of a way to bring about honorable negotiations, he would do so. He has every personal and political motive to end this war, which is crippling his domestic administration, endangering world peace and curdling his evident dream of becoming a much-loved president. Nevertheless, someone in Congress or the public may yet come up with a new idea for triggering peace talks which could work, and they should be heard. If nothing else, the advocates of negotiation help offset the reckless strain in public opinion which holds that the way to end the war is to blow North Vietnam off the map.

[From the Klamath Falls (Oreg.) Herald & News, July 16, 1967]

WHAT NEXT: WE ARE WINNING THE WAR—BUT

"We are winning the war—but . . .," was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisers only a few short years ago.

Yet behind the now somewhat guarded and muted predictions of eventual victory for the cause of democracy lies the sobering belief of the generals that this many troops will be required solely to keep us on top of the Viet Cong and North Vietnamese during the coming months.

For the fact is that escalation has been met by escalation since the beginning. Communist troop strength is higher than it has ever been, despite the bombing of North Vietnam and ever-increasing battle losses.

McNamara described more than the immediate situation when he said at Da Nang: "Our casualties are high but we have also inflicted high casualties on North Vietnamese army units."

What he described was the situation as it was in 1965 and 1966 and as it is likely to be in 1968. Only the numbers have been changed—for the higher.

It is often forgotten that escalation is not the prerogative only of this country. Options open to the Communists include a step-up of terrorist bombings in Saigon and other South Vietnamese cities; the infiltration in even greater numbers of the large North Vietnamese standing army; the use of Communist "volunteers" from other countries; the opening of diversionary action in Korea.

This was emphasized by eight Republican congressmen the other day as they introduced a scheme for a de-escalation of the war that would steer a middle course between "those who would bomb more and those who would bomb less."

Representative Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont propose a halt to all bombing in North Vietnam north of the 21st parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with

a similar de-escalatory step, such as dismantling major supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 20th parallel for a like 60-day period—and so on down in five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

Thus, should the North Vietnamese fail to respond to the first bombing limitation, bombing could be resumed north of the 21st parallel without having caused the military effort in South Vietnam any disadvantage.

Would such a plan work? The congressmen honestly don't know. Their proposal is put forth not as a panacea for Vietnam but in the belief that the best chance for peace lies in small steps, taken quietly, that make the position of each side credible to the other.

That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to deescalate by small steps, however, is something that does not seem to have been made as credible to them as it might be.

[From the Coos Bay (Oreg.) World, July 18, 1967]

TO ESCALATE OR DEESCALATE?

"We are winning the war—but . . . ." was the message given to Robert McNamara by field commanders during the ninth visit by the secretary of defense to Vietnam.

The "but" translates into a call for still more troops—perhaps 100,000—to be added to the 466,000 there at present.

This number, we are told, is the minimum needed to complete the job begun by a relative handful of American advisors only a few short years ago.

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This was emphasized by eight Republican congressmen the other day as they introduced a scheme of de-escalation of the war that would steer middle course between "those who would bomb more and those who would bomb less."

Representatives Morse of Massachusetts, Dellenback of Oregon, Esch of Michigan, Horton of New York, Mathias of Maryland, Mosher of Ohio, Schweiker of Pennsylvania and Stafford of Vermont proposed a halt to all bombing in North Vietnam north of the 28th parallel for 60 days. This would exempt the city of Hanoi but not the port of Haiphong.

If the North Vietnamese responded with a similar de-escalatory step, such as dismantling main supply depots along the Ho Chi Minh Trail, the United States would then end all bombing north of the 28th parallel for a like 60-day period—and so on down five steps until the 17th parallel dividing North and South Vietnam was reached.

The staged de-escalation plan would produce a growing atmosphere of mutual confidence, think the congressmen. Its virtue is that most military targets are in southern North Vietnam.

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That we are willing to invest another 100,000 men in Vietnam is probably quite credible—and acceptable—to Hanoi. That we are ready to de-escalate in small steps, however, is something that does not seem to have been made as credible to them as it might seem.

THREAT TO SHOE INDUSTRY

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I have consistently supported legislation which would protect domestic industries from unfair, low-labor-cost foreign imports. I favor increased and improved foreign trade, but only on a fair and orderly basis.

One domestic industry which has been particularly threatened by imports is the shoe industry. I was deeply concerned to receive a letter from the president of a shoe company in my district which said simply, "We need help and much support."

I have introduced in this and previous sessions legislation such as the Orderly Marketing Act of 1967 which is aimed at providing such help. The majority leadership apparently does not see the need for this protection and the administration has failed to live up to its promises of much-needed regulations of unfair trade.

Consequently the problem has worsened. Lloyd M. Hampton in his column "Washington: Inside Out" of August 12, 1967, lists the sobering facts of the threat to our domestic shoe industry. I would like to include some excerpts from his column in the RECORD.

Mr. Hampton points out that many of the foreign shoe imports come from behind the Iron Curtain, particularly Czechoslovakia. If it is difficult for our domestic industries to compete with low-labor-cost free countries, it is virtually impossible for them to compete with Communist countries "where costs are ignored in the drive to export merchandise for dollars."

I have consistently opposed increased trade with Communist countries in light of the fact that they are supporting North Vietnam with whom we are at war. I also oppose such increases because they represent unfair competition.

As the following excerpt makes clear, the situation in the shoe industry is critical. I urge my colleagues to join me in seeking rapid action to meet this urgent need.

The excerpt follows:

The shoe producer's case for insisting on import quotas is an impressive and valid one. To fail at this particular time to plead for relief via the Congressional route could be a sizable mistake in judgment, say sources not only in and out of Congress, but among trade officials, as well.

Sobering facts: From 1955 to 1966, footwear imports have upped 1500 percent . . . from 8 million pairs to 132 million pairs. At present rate, imports will reach 200 million pairs by 1970 . . . conceivably higher under concessions we made in the Kennedy Round; figures for '66 show imports accounted for 16.3 percent of our domestic production of 809 million pairs. Study of 1955–56 period reveals that U.S. footwear exports have fallen 37 percent . . . shipments to other countries now come to about 3 million pairs annually; data for first two months of 1967 disclose imports were 22.8 percent of all U.S. production for that period but as high as 94 percent for women's casuals; the domestic footwear industry is particularly vulnerable to the increasing flow of imports from behind the Iron Curtain. Since 1959, Czechoslovakia has stepped up it imports to the U.S. by over 900 percent, from 192,600 pairs in 1959 to 1.7 million pairs in 1966; imports from state-controlled enterprises—where costs are ignored in the drive to export merchandise for dollars—present extremely unfair competition, says NFMA.

THE TAX DEBATE

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the administration's proposed tax increase is now before the House Ways and Means Committee. Several high-ranking administration officials have attempted to present the economic rationale behind the requested tax hike.

They have failed, Mr. Speaker, because there is no sound economic justification for this proposal. An editorial in the New York Times of Thursday, August 17, attempts to explain why the administration has failed to make a case.

While I do not fully agree with some of the points in the editorial, I do support its major premise—that the real reason for the requested increase is political. The administration has consistently deluded itself and the American public by asserting that virtually any problem can be solved by creating more agencies and spending more money. With such an unrealistic attitude, it is little wonder that the administration is running a huge deficit. Now it has requested a tax hike to combat this deficit. If Congress does

not adopt this increase, the administration will, no doubt blame Congress for the $29 billion deficit. I find a bit of irony in a Democratic administration using a heavily Democratic Congress for its whipping boy.

The New York Times editorial, which follows, explains why the economic reasons for the tax increase are not valid, thereby making it clear that the political reasons—which are hardly commendable—are the true ones.

The editorial follows:

THE TAX DEBATE

The testimony of top Administration officials before the House Ways and Means Committee has failed to make a case for the proposed increase in taxes.

It is easy to understand the political argument for a higher levy. President Johnson does not want to go into the 1968 campaign defending a $29 billion deficit. But the economic arguments are unpersuasive.

The Federal Reserve Board's index of industrial production rose last month for the first time in seven months. Corporate profits improved slightly in the spring quarter. But these mildly bullish developments provide no basis for fear that heavier military spending for Vietnam confronts the nation with the imminent threat of breakneck inflation.

A much more valid fear, in our judgment, is that higher taxes will stifle the incipient boomlet and topple the country back toward recession.

What is wrong with President Johnson's budget is not so much the size of the deficit as the upside-down priorities it expresses. The unending escalation of the war in Vietnam reduces the chances of a negotiated peace and thus represents a wasteful diversion of national resources. But, even with escalation, the President would be on more reasonable ground if he proposed financing the additional Vietnam expenditures by cutting back on the space program and on agricultural subsidies and by deferring the supersonic transport and other less urgent projects.

By refusing to take the lead in those reductions, Mr. Johnson has simply invited the mounting Congressional pressure to slash funds for the antipoverty program, model cities and other urban programs vital to America's welfare—pressure not likely to be turned off by his letter to Senator Mansfield calling for an "all-out commitment" to the solution of domestic problems.

A tax fight centering on the as yet ill-demonstrated peril of inflation and inducing further neglect of urban programs is a disservice to the national interest.

CONGRESSIONAL REFORM: ACTION NOW

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New Hampshire [Mr. CLEVELAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I want to commend the distinguished gentleman from Wisconsin [Mr. LAIRD] for his scholarly attention to the problem of effective legislative oversight and for the recommendations which he advances in the hope of exacting a better performance by the Congress in this critical area of congressional responsibility.

Certainly, oversight of the administration of our laws is equally important to making the laws. Somehow, this continues to be overlooked or misunderstood by a great many people. We do need, as the gentleman says, to "break down the all too prevalent notion that Congress is a mere 'bill factory.'"

In his opening statement as a member of the newly established Joint Committee on the Organization of the Congress early in 1965, our colleague, the gentlemen from Missouri [Mr. CURTIS], warned against:

False measure of the effectiveness of Congress (which) is suggested by some whose knowledge—of congressional problems is superficial; namely, the rate of speed of enacting laws, especially measure recommended by the executive branch. Making a law is not the same business as making an automobile.

Most of the recommendations contained in the final report of the Joint Committee on the Organization of Congress, touch on the question of legislative oversight in one way or another. Our recommendations for more committee staff, for beefing up the Legislative Reference Service of the Library of Congress, for better fiscal controls—these and more, if enacted, should enable the Congress to perform its function of oversight more effectively. In addition, we made several recommendations under the specific heading of "Legislative Review," which I will include later as a part of my remarks.

In underlining the critical importance attached to this problem by the joint committee, I would like to quote the chairman, the distinguished Senator from Oklahoma who, as a Member of the House, cochaired the first Joint Committee on the Organization of the Congress 20 years ago and had this to say during the course of our hearings in 1965:

One of the most important aspects of the Reorganization Act of 1946 seems to me the concept which was voiced for the first time—it has always been the responsibility of Congress—and that is the duty of oversight of Congress.

We are so busy breaking new ground that we do not have time to go back over the ground that was broken by the preceding Congress and take a look and make an examination of how the programs we passed in the yesteryear are working this year.

We tried to create the Government Operations Committee in both Houses, which have done a reasonably good job within the limits of their power and within the limits of their personnel, but it seems to me that this is still one of the great gaps in government. The jurisdiction which was passed to the Government Operations Committee was not so broad that they would have sole oversight responsibility. The committees having the proper cognizance under their jurisdictions should examine each year the Government departments which they were apparently permitted to pass legislation to supervise.

But we find ourselves bogged down in an impossible situation where this regular committee oversight of the bureaus and departments under its jurisdiction is not carried out to any degree whatever.

Again, I commend my colleague from Wisconsin for his searching inquiry into this problem and the carefully thought-out suggestions he has advanced for our consideration.

And again I call attention to the failure of the House Rules Committee to report S. 355 to the floor after the bill passed the Senate by an overwhelming vote on March 7, nearly 6 months ago. Although far from perfection, the Legislative Reorganization Act of 1967 is a significant step forward in modernizing Congress to do a better job in many ways, including its legislative review function.

I here append the recommendations referred to above:

[From the Final Report of the Joint Committee on the Organization of the Congress, July 28, 1966]

LEGISLATIVE REVIEW

The responsibilities of Congress extend beyond the passage of new legislation. One of the most important of these is to scrutinize continuously existing programs to determine whether they are being administered in accordance with congressional intent, whether amendments are desirable, or whether the program has outlived its purpose. No agency is likely to volunteer that its objective could be accomplished in another manner—or that it is no longer needed. These determinations must be made by Congress.

The 1946 act recognized the need for such a continuous review. Section 136 provided:

To assist the Congress in appraising the administration of the laws and in developing such amendments or related legislation as it may deem necessary, each standing committee of the Senate and the House of Representatives shall exercise continuous watchfulness of the execution by the administrative agencies concerned of any laws, the subject matter of which is within the jurisdiction of such committee; and, for that purpose, shall study all pertinent reports and data submitted to the Congress . . .

This provision has failed to achieve the desired result. It is a statutory admonition without means of implementation. Although some standing committees have carried on extensive "oversight" activities, most are preoccupied with new legislative programs.

1. The activity commonly referred to as "oversight" shall be redesignated as "review" so that there will be a better public understanding of the function.

Supervision of program administration was referred to in the 1946 act as legislative "oversight." The public is confused by this term. The term "review" is more accurate with respect to the obligation to oversee the performance of the laws. Its use would enable a greater public awareness of this congressional responsibility.

2. In addition to the permanent professional staff otherwise authorized, each standing committee shall be entitled to one additional permanent professional staff member who shall be designated a review specialist and who shall be assigned exclusively to performance of review (oversight). He shall be selected by the chairman with the concurrence of the ranking minority member. The review specialist shall be directed to carry out review projects, or to supervise the same, contingent upon the approval of such projects by the chairman and ranking minority member of the committee.

Some committees have created permanent investigating subcommittees to perform the review function. This normally results in the earmarking of staff who are not immersed in the preparation of new legislation or other committee responsibilities. Others have divided the review function among a number of subject-matter subcommittees. They have not found it desirable to assign review responsibility to a single subcommittee because of greater expertise of the subject-matter subcommittees and their staffs.

Because of these differences, it is desirable to provide maximum flexibility to each committee in the way it performs this func-

tion. However, each committee should have at least one staff member with the full-time responsibility of implementing the review policies of the committee. If the committee has a permanent investigations or oversight subcommittee, the review specialist may be assigned to that subcommittee. If such a subcommittee does not exist, he would be a member of the staff of the full committee.

It is extremely important that the review specialist be selected on a nonpartisan basis. He is to assist the committee in determining that existing programs are being efficiently administered in accordance with congressional intent. He should be selected and supervised by both the chairman and the ranking minority member.

One important function of the specialist should be the inspection and analysis of GAO reports delivered to the committee. He should be directed to report to the committee each year on his activities.

3. Each standing committee other than the Appropriations Committees shall file an annual report on the review activities of the committee during the year. The report shall include an evaluation of programs under the jurisdiction of the committee, an assessment of the quality of administration of agencies investigated during the year, and recommendations as to organizational and program changes and/or the elimination of unnecessary activities under the committee's jurisdiction. The reports shall be delivered to the majority and minority leadership of both Houses and by the leadership to the President, with a copy to the Bureau of the Budget.

The review function is a statutory obligation of the standing committees. The membership of both Houses and the public are entitled to know how well the function is being performed. Annual review reports would permit Members to determine whether the review capacity of various committees should be strengthened. They would call attention to the need for investigations or other activities in the Member's particular field of interest. They would also disclose unnecessary duplication of effort.

The reports should be delivered to the President and the Bureau of the Budget so that the executive branch could consider their findings in subsequent program planning and budget requests.

4. The legislative committees should hold hearings on major reports required of the Executive.

5. The legislative committees should review reports required by law of the executive departments and agencies to determine whether the reports perform a useful function, should be reoriented, or are no longer necessary.

Many statutes require periodic reports to Congress from the agency or department. Some reports—such as the President's Economic Report—are the subject of important hearings. But many other important reports by the Executive go unnoticed because the committee with jurisdiction takes no action. Hearings should be held on major reports in order to direct attention to any specific problems raised in them. The result of such hearings would be a more regular dialog on major public policies.

Each committee should also review all reports required by existing laws to determine if they still fulfill a useful function. At present, a total of 639 annual reports is required of various executive departments and offices. This is a burdensome and useless practice to impose on administrative agencies if it does not actually inform the committee or if the subject matter is so trivial that no attention will be given to it.

HISTORY REPLAYED

Mr. BOB WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. SCHWENGEL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SCHWENGEL. Mr. Speaker, on August 6, 1967, a member of the Iowa General Assembly, State Representative Stanley Shepherd, gave the speech at the Civil War observance held each year at Croton, Iowa.

The speech replays important parts of American history in a moving and sensitive manner. It reflects a great deal of research and hard work.

I commend its reading to my colleagues, as follows:

It is indeed a pleasure and honor to be with you today. There is so much to be thankful and most of all is pride and pleasure of knowing that from the beginning of this country, and this State your ancestors played a most important part in laying a foundation that has stood throughout the years. . . . It is part of our inheritance.

My desire today is not to give you a complete history of one event. I would like to lead you along the path of a number of heroic and historical incidents that occurred through the years and to leave you with the feeling that leads you to place a higher value upon the privilege of citizenship of this great State and country of ours. It is important to keep alive the memory of those pioneers and settlers of this State and country whose achievements and wisdom served us well. From the very beginning of the making of this country many men, women and children have paid dearly for the freedom we have today.

Independence Day July 4, 1776, was one of those days that meant tragedy, poverty and broken hearts for many.

Have you ever wondered what happened to those men who signed the Declaration of Independence?

Five signers were captured by the British as traitors and tortured before they died. Twelve had their homes ransacked and burned. Two lost their sons in the Continental Army; another had two sons captured. Nine of the 56 fought and died from wounds of the Revolutionary War.

What kind of men where they? Four were lawyers and jurists. Eleven were merchants, nine were farmers and large plantation owners, men of means, well-educated. But they signed the Declaration of Independence knowing full well that the penalty would be death if they were captured. They signed and they pledged their lives, their fortunes and their honor.

Carter Braxton, of Virginia, a wealthy planter and trader, saw his ships swept from the seas by the British Navy. He sold his home and properties to pay his debts and died in rags.

Thomas McKeam was so hounded by the British that he was forced to move his family constantly. He served in the Congress without pay and his family was kept in hiding. His possessions were taken from him and poverty was his reward.

Vandals, soldiers or both looted the properties of Ellery, Clymer, Hall, Walton, Gwinnett, Heyward, Rutledge and Liddleton.

At the Battle of Yorktown, Thomas Nelson, Jr. noted that the British General Cornwallis had taken over the Nelson home for his headquarters. The owners quietly urged General George Washington to open fire which was done. The home was destroyed and Nelson died bankrupt.

Francis Lewis had his home and properties destroyed. The enemy jailed his wife, and she died within a few months.

John Hart was driven from his wife's bedside as she was dying. Their 13 children fled for their lives. His fields and grist mill were laid waste. For more than a year he lived in forests and caves, returning home after the war to find his wife dead, his children gone. A few weeks later he died from exhaustion and a broken heart.

Morris and Livingston suffered similar fates. Such were the stories and sacrifices of the American Revolution. These men were no wild-eyed, rabble-rousing ruffians. They were soft spoken men of means and education. They had security, but they valued liberty more.

Standing tall, straight and unwavering, they pledged: "For the support of this Declaration, with a firm reliance of the protection of the divine providence, we mutually pledge to each other our lives, our fortunes and our sacred honor."

They gave to us an independent America to keep.

The years pass and Iowa was formed and it's early progress was made possible by the rivers, especially the Des Moines River, which lies just beyond us.

The Des Moines River, rich in fur-bearing animals, was profitable territory for trappers and hunters.

At the first trading posts the Indians exchanged skins, and pelts for firearms, blankets, ornaments and whiskey. The American Fur Company of St. Louis was influential in founding a number of posts in Iowa that later developed into towns. Among them was the city of Keokuk. Later the Des Moines River region became the center for the Iowa fur trade, which in 1809 was valued at $60,000.00. Among the best known fur traders was Maurice Blondeau who opened a trading post on the Des Moines River, under the auspices of John Jacob Astor.

Pioneer Iowa's population growth and economic stability depended greatly upon her early forms of transportation. The first settlements were made along the rivers and streams denoting waterways as important avenues of transportation. St. Louis was a thriving city and the city of Keokuk was becoming an important trading center and was known as the Chicago of the Mid-West, and the northwestern fur trading enterprise was successfully launched. But the steamboat, so important in a later transportation era, was still a rarity. Poineer Iowans depended upon more primitive form of water transportation.

One type of river craft, the bull boat, made of Buffalo hides sewed together and stretched over a frame-work of poles, was being used on the plain rivers. Propelled by poles and paddles, fur traders transported their pelts and equipment in it. Carrying capacity was limited, however, because it sat low in the water, leaked badly and water logged easily. At night bull boats were dried by the fire or propped over the voyagers as a tent to be dried by the wind.

Dug-out canoes appeared on the river as a simple means of transportation. Constructed by hollowing out a tree log, these canoes could be paddled against the current and were light enough to be carried across the portages. Limited in space, they were open to the weather and easily capsized in rough water. Canoes enlarged by using logs with planks between them were the forerunners of flatboats, mackinaws and rafts. These crafts, propelled by poles, oars or rudders and sometimes sails, transported produce down river but seldom traveled against the current.

Keelboats, as the name implies, were built upon a keel which extended along the entire bottom of the vessel and had sides of planks laid upon supporting ribs. These long narrow boats of light draft, intended for shallow water, were especially useful on the Des Moines River.

A wider, heavier craft of the same type of construction was called a barge, keelboats and barges usually contained a cabin or cargo box, the most important boats on the

Des Moines River before the steamboat. Keelboats carried a large cargo and could be moved against the current. They were propelled by poles placed on the bottom and pushed by a number of men walking from prow to stern. Often supplemented with a mast and sail for broad waterways, the boat could be steered with a long oar and was directed by a captain or a helmsman who, stationed on the roof of the cabin, could see far ahead.

When a river, such as the Des Moines, was too deep for setting poles, or the bottom too soft, a cordelle or towline was used. With one end fastened to the top of the mast the other was pulled by a crew member who walked along the shore. If the shore was unsuitable for cordelling, boatmen proceeded up-stream in skiffs anchored to a snag or a tree and drew the keel-boat forward with tow-lines. This method of propulsion was called warping. When the water was too high the boat could be propelled among the trees near the shore by grabbing over-hanging branches—a progress called bushwacking.

With many perils and obstacles facing early river travel, rapids, falls, dams, continually shifting sand bars and islands, floating debris and many other menaces, the life of the boatman was rarely uneventful. They were familiar to the early pioneers in their scarlet shirts, blue jackets, Lindsay-Woolsey trousers, leather caps and moccasins.

River hands were recruited from a distinct class of brawny, aggressive, rugged men, proud of their physical prowess. They labored hard but spent long, leisurely hours gambling, wrestling, singing, drinking and telling tales.

Despite its hazards, river transportation proved profitable. Rates were high but cargo was never hard to find. Passenger fares depended on types of boats, speed and accommodations supplied. Many of the boats displayed their type of ware and service and could be hailed by a dweller on the bank.

Even after the coming of the steamboat, keel-boats, barges and flatboats continued to be used many years. Demands for boating increased rapidly enough to use all types of crafts.

The Des Moines River served the founders of the Des Moines Valley faithfully and well from the time the earliest fur traders ascended the rivers of Iowa to trade with the Indians, by the laborious process of poling these slow-moving crafts, well laden with beads, blankets, ammunition, looking glasses, war paint, and perhaps carefully hidden away, a supply of "fire water" of the fighting brand, to the year of 1862, when the rapid development of our railroad system caused steam-boating to become unprofitable. From the year of 1837 to 1862, 41 steamboats plied the Des Moines River.

It was in 1847, the year of the great famine in Ireland, that several flatboats loaded with corn for St. Louis was confronted with a serious situation here at Croton and Athens. At the Athens mill the dam was eight feet high and the mill owners had a wooden lock 25 feet wide, but the gates had been broken out by the ice. Under those circumstances to run the chute left open was rather a precarious situation but passage was made a number of times. There were dams at Farmington, Bonaparte and Keosauqua, as well as Bentonsport.

Time does not permit me to go into detail of this part of our local history.

Had it not been for Iowa's navigable streams and rivers and these primitive water crafts, frontier settlement would have been seriously handicapped and economic livelihood impaired. The romance of river boat life and adventure added a colorful chapter to Iowa's early history.

This section of the State had seen many conflicting events with the State of Missouri before Iowa became a State. When Governor Lucas entered upon the duties of his office he found a serious dispute on his hands. The issue at point was the northern boundary of Missouri or the southern boundary of the Iowa Territory. Before he was in office 2 years, Iowa and Missouri militia were opposing one another, ready to engage in battle. The land along the border, in question, was then in possession of the Indians, but as soon as the Indian title expired Missouri took steps to establish her exact limits. So here was ground for stubborn argument. To increase the difficulties and confusion, the southern part of the Wisconsin territory, now Iowa, was defined by Congress as the northern boundary of Missouri. Thus Missouri claimed a strip of land some 13 miles wide, now forming Iowa's southern border. The people living in southern Wisconsin (now Iowa) and northern Missouri were rough and impulsive, ready with the rifle, and awed but little by law. When a Missouri sheriff tried to exercise his duties in what he considered northern Missouri, the settlers there asserted that he was out of his jurisdiction, and they refused to recognize his authority. . . . He was arrested. . . . Names were called and threats were made, the dispute was fiercest on the border of Clarke County, Missouri, and what is now Van Buren County and parts of western Lee County where we are today. The clerk of Clarke County attempted to levy taxes in Iowa, and was resisted. He then appealed to Governor Boggs of Missouri. This executive ordered out 1,000 militia to uphold the dignity of the State.

Governor Lucas, of Iowa Territory, already had passed through a similar contest, when he was Governor of Ohio, between Ohio and Michigan Territory. He at once called for Iowa's militia to keep back what promised to be an invasion by Missouri.

The settlements in Iowa Territory at that time, the later part of 1839, were scattered, and the militia was poorly organized. But within a short time after the call to arms, 500 Hawkeyes, under orders from Major General Jesse B. Brown, were encamped in Van Buren County in this vicinity. Directly opposite were 1,000 Missourians under General Allen. The two forces were glaring at each other, anxious for a fracas.

Fortunately no fighting occurred. A peace commission was sent into Clarke County. This resulted that the order for levying of taxes was withdrawn. General Allen withdrew his troops. The Iowa Legislature assented to a treaty of peace. The valiant Iowa Militia was dismissed.

The boundary dispute was not settled. Although war was averted, it was not until January 3, 1852, when the Supreme Court made a final decree and Iowa won. The question was decided just in time. Missouri was a slave State . . . Iowa a free State . . . and a tract such as this, if in dispute could have caused most serious trouble. The land involved was for the most part heavily wooded, and rich in bee trees. On this account the quarrel was termed the "Honey War." Many jokes were made about the contest, frontier poets even wrote verse about it. A Missouri wag composed quite a poem, which had a very wide and heavy circulation about the two States and the settlements. It began as follows:

"Ye freeman of his happy land,
Which flows with milk and honey.
Arise! To Arms! Your Ponies Mount!
Regard not blood or money,
Old Governor Lucas, tiger like,
Is prowling around the borders,
But Governor Boggs is wide awake—
Just listen to his orders.

Three bee trees stand about the line
Between our state and Lucas,
Be ready all these trees to fall
And bring things to focus.
We'll show old Lucas how to brag,
And seize our precious honey!
He also claims, I understand,
Of us three bits on money."

One of the results of the "honey war" was the first review of the Iowa militia. The troops were armed with rifles, shotguns, pistols, and other fire-arms of a variety of forms, some of the officers had trailing dragoon swords: some had straight dress swords, some had no swords. No two men were attired or armed alike, the Iowa territorial militia of the winter of 1839–40 was a strange sight. Actually 1200 men enlisted under Governor Lucas' proclamation, yet this militia never was paid for its services. Neither were the persons who furnished supplies recompensed for their efforts.

Not too many years in the future Iowa's army proved that they were among the best in the Union.

Although the battle for Croton and Athens in the year of 1861, was not a major battle, in the Civil War, a number of lives were lost and many soldiers were injured. However, it played a very important part in Iowa's participation in the war. A loss by the Union soldiers could have meant an invasion of Iowa by the Confederate troops. At that time in the State of Missouri both Union and Confederate recruits were being enlisted, for the Missourians were pretty well divided on the question of the war.

"Sesesh" was the popular name for the Confederates, because they favored session, or the withdrawal from the Union by the Southern States. On account of both parties in the war having adherents in good numbers in Missouri, collisions between armed bodies of men were frequent.

If the town of Athens located just across the river and twenty miles northwest of Keokuk, on the right bank of the Des Moines River, in Clarke County, Missouri in July and August 1861 was Colonel David Moore with about five hundred volunteers—mostly the First Northeast Missouri Regiment of volunteer home guards.

The "Sesesh" had quarters at the town of Cahoka, about ten miles south of Athens and Croton. A number of skirmishes had occurred between recruiting details, and between detachments enlisted on the two sides. Home guards had been formed on either side on the bounary line between Iowa and Missouri.

August first, thirty-five tons of provisions were sent to Athens via Croton on the Des Moines Valley Railroad, where it was ferried across the Des Moines River. At the same time a quantity of muskets and ammunition. The Confederates heard of this, and determined to attack Athens and capture the supplies. August second, messengers arrived at Athens, bringing news of the plans of the "Sesesh" and Sunday evening August fourth another messenger came with word that the onslaught was to be made the next day.

Colonel Moore prepared to give the enemy a warm reception. At the same time much excitement was occasioned in Iowa, for if Athens was taken, the Confederates might cross the river and pillage the country side. The report got abroad that the Confederates were determined to attack and sack Keokuk itself. In Farmington, Keokuk, Croton and other towns in Lee and Van Buren Counties, there was scurrying to and fro, to be ready to repel the invasion.

Here in Croton quite a large throng assembled to watch the battle. The bluff on this side of the Des Moines River furnished a fine amphitheater.

The "Sesesh" were under the command of Martin E. Green. As most of the soldiers on either side were Missourians and recruited from northern Missouri, families were divided: Brother was arrayed against brother, father against son. . . . Under Colonel Green was Captain Moore, the son of Colonel Moore of the Union volunteers. While the Confederates were on the march one officer remarked, in the hearing of Captain Moore: "Oh, we will take Athens easy enough, Old Moore won't fight." Don't fool yourself, spoke

up the son, "I know Dad, and he'll give you all the fighting you want." He did too.

The morning of August fifth broke clear and bright and the bluffs behind Croton was filled with spectators . . . men, women and children, and as usual a good assortment of dogs. Colonel Green had planted two cannon on the bluff behind Athens, and at five-thirty these opened fire, while the infantry attacked the Moore forces. The cannon balls flew high. . . . Instead of hitting the enemy, they passed over the heads of the Union soldiers, crossed the river, and struck the Croton bluffs.

The women, children and dogs, here scattered and hid in the ravines. It was also reported that one cannon ball hit the depot roof at Croton and another went through the Joe Benning home in Athens, known as the "Old Cannon Ball House."

The greater part of the fighting took place in the corn fields around Athens. Under Colonel Moore were forty sharp-shooters from Farmington. At the depot in Croton a body of Croton home guards and Keokuk volunteers had been stationed. The inaccuracy of the Confederate soldiers, who manned the two cannons from the Athens side, no doubt saved the lives of many of the soldiers stationed at the station or depot. With their wives and children watching on the bluffs this could have been a very sad day for them.

During the battle these troops were marched into a sugar camp on the river bank. From there they fired across the river into the Confederates in a corn field, and inflicted considerable loss. Colonel Green had promised his men: "We breakfast in Athens, dine in Croton and sup in Farmington". But they didn't for in an hour and a half they were defeated and retreating.

The Union troops pursued them a short distance, and then returned to Athens . . . The Confederate sympathizers in Athens had prepared to welcome Colonel Green's command. Chickens had been roasted, and pies and cakes baked. These with other goodies had been laid away in the cellars until the victory had been won.

But Colonel Green's men did not stay to taste these delicious foods. Instead, the northern Missouri regiment of volunteer home guards, the Farmington sharp-shooters, the Croton home guards and the doughty Keokuk volunteers fell to and celebrated at the expense of the unlucky "sesesh" women. Colonel Green and his forces were heading in the wrong direction.

It is said the Union loss in the battle of Athens and Croton was four killed. Three wounded badly, twenty wounded slightly, and the Confederate loss was much greater. However, figures in different accounts differ greatly.

Colonel Moore captured thirty horses, and one of the cannon left behind in the bushes.

While the struggle was in progress a number of frightened and wounded Union soldiers fled across the river. Some of these were so demoralized that they cried to all they met: "Look out, the rebels are coming. The rebels are coming."

A few ran clear to Keokuk and Montrose, spreading the tidings that Colonel Moore had been defeated, and that the Confederates were right at their heels.

So the battle ended on that day, August fifth, 1861, on the very ground where we are gathered today to honor those men who fought to preserve the ideals of freedom.

In ending I would like to state that the great Commonwealth of Iowa sent forth 80,000 of her sons to do battle for the Nation. The story of her heroism is told over and over again. She thought no sacrifice too great, whether of blood or treasure, in defense of the flag and in maintaining the integrity of the Union.

Tempered and welded by the flame of battle, she emerged from the Civil War period to take her place among the foremost States forming the United States.

The character of the citizenship which they attain will be also the character of the State. On the stone which contributed to the Washington Monument, and on the face of the soldier's monument at Des Moines is this inscription: may it be as true as it is today: "Iowa . . . her effectiveness like the rivers of her borders, flow to an inseparable Union."

REPORTED BUILDUP OF SUPPLIES AND SANCTUARY OF ENEMY TROOPS IN CAMBODIA

The SPEAKER. Under a previous order of the House, the gentleman from Virginia [Mr. MARSH] is recognized for 30 minutes.

Mr. MARSH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MARSH. Mr. Speaker, I take this time to discuss the continued reports appearing in the press about the buildup of supplies and sanctuary of enemy troops in the country of Cambodia, whose border is adjacent to South Vietnam. I particularly raise a question as to the use of the Mekong River and what commerce destined for Cambodia or coming from Cambodia is moving along this waterway.

The Mekong River is one of the major waterways of that area of the world, and flows for countless miles across the Southeast Asian peninsula emptying into the South China Sea. It runs across all of South Vietnam, after winding its way through Cambodia. It is sometimes overlooked and rarely mentioned that the Mekong River has the status of an international waterway with freedom of navigation for the benefit of the signatory parties, one being Cambodia. In 1955, there was signed a Mekong Convention which was a convention for the purpose of regulating maritime and inland navigation on the Mekong and inland navigation on the approach to the Port of Saigon. The State Department has furnished me a copy of this convention, as well as pointed out that the Government of the Republic of South Vietnam has sought to impose a number of regulations on the river traffic. The signatory nations were Cambodia, Laos, and Vietnam. Article 2 of the protocol to the convention provides as follows:

> Navigation throughout the course of the Mekong, its tributaries, effluents, and navigable mouths, must conform to the requirements prescribed by the riparian States, particularly in sanitary, police and customs matters and with respect to the maintenance of general security.

A reference to the book entitled "Cambodia's Foreign Policy" by Roger M. Smith, published by the Cornell University Press in 1965, touches on the circumstances leading to the agreement on the use of the Mekong River and also discusses certain differences involving the Port of Saigon. The author points out on pages 157 and 158 the construction of the port at Sihanoukville in 1959 has apparently diverted a substantial amount of traffic bound for Cambodia via the Mekong River.

Today serious questions are being raised by continued arms shipments into Cambodia. Although these apparently are coming in principally through the Port of Sihanoukville, nevertheless, I believe a question should be raised as to what part, if any, the Mekong River might have, in the course of infiltration or distribution of these supplies.

In the August 28 edition of U.S. News & World Report, at page 25, there appears an article that discusses the entry of supplies for Vietcong and North Vietnamese through Cambodia. Set out below are the pertinent portions of this article:

> Shipments are coming into Cambodia directly from Soviet Black Sea ports and Communist Chinese ports on ships of Russian, Soviet-bloc, Chinese and Hong Kong registry. Cargoes move by road and barges to the Viet Cong and North Vietnamese troops.
>
> * * * * *
>
> U.S. naval sources have become deeply concerned over the tremendous overall increase in international shipping into Cambodian ports, which has grown despite the fact that Cambodia's economy is nearly bankrupt after the breaking off of American aid three years ago and the expulsion of French and other traders when export-import firms and banks were nationalized.
>
> One official American source reports that there is no question that Russian and Chinese shipping into Sihanoukville and elsewhere in Cambodia is bringing in ammunition.

Press accounts such as this raise a question to me as to the extent to which the Vietcong and North Vietnamese may be receiving substantial supplies via a Mekong River route ostensibly intended for peaceful commerce with Cambodia.

It has become necessary to look closer at the role of Cambodia in this war, and recent reports and news accounts indicate Cambodia is playing a significant part in resupplying and providing a sanctuary for enemy troops.

I point out that I do not desire any information of a military nature which might jeopardize our forces or those of our South Vietnamese allies.

I might add that I am not familiar with the nature of cargo that moves on the Mekong River to or from Cambodia, nor do I have any idea as to what type of vessels carry these cargoes. However, I would be interested in knowing:

First. How much shipping travels up and down the Mekong River to or from Cambodia through Vietnam?

Second. Why, if this is regular commercial cargo, is it necessary to move these vessels in escorted convoys? I would point out that the State Department has furnished me information in reference to shipping on the Mekong River that "in November of 1966, shipping bound for Cambodia was being escorted in convoys up the Mekong River."

Third. Do we know just what is in each cargo moving up the Mekong to Cambodia?

Fourth. Are cargoes of obvious military use to our enemies turned back or confiscated?

The continued reports of Communist resupply operations in Cambodia may point to stricter measures for policing the use of the Mekong River.

It does not seem to be in the best interests of the American serviceman, nor our effort in South Vietnam, to per-

mit travel through the heart of the battle ground over a main artery of trade items of war which will be used against our own troops.

TAX REFORMS NEEDED

The SPEAKER. Under a previous order of the House, the gentleman from New Jersey [Mr. DANIELS] is recognized for 30 minutes.

Mr. DANIELS. Mr. Speaker, on August 7 of this year, President Johnson proposed a 10-percent surtax on Federal income taxes. One of the most important results of this proposal is that it has stimulated great discussion on our existing tax structure and, in my view, increased the possibilities for tax reform.

I have received hundreds of letters from citizens of the 14th Congressional District of New Jersey, who feel as I feel that this additional tax burden should not be imposed until we have a system whereby the tax load is shared on a basis of relative equality.

Mr. Speaker, I am appalled by a tax system where an underemployed person in Jersey City pays 14 percent of his net income and on the other hand, oil companies who in 1965 earned almost $6 billion in profits, paid only 6.3 percent in taxes. Surely there is something inherently wrong about this kind of a system.

Mr. Speaker, while the oil depletion allowance is the most glaring weakness in the Internal Revenue Code there are others too which, while smaller, deserve equally to be plugged up.

As a responsible Member of this Congress, I cannot vote for governmental programs without voting to raise the revenue. And, with domestic programs already cut to the quick, the only other possibility is to deny our fighting sons in Vietnam the supplies they need to sustain themselves or for this Government to renege upon obligations it has assumed either for our veterans of earlier wars or the debt which has accrued from these wars. None of these courses is acceptable for me.

Thus, I have posed a nine-plank program which I think will raise enough revenue to obviate the necessity for imposing new personal income taxes.

According to the very knowledgeable gentleman from Wisconsin [Mr. REUSS], my good friend and colleague, these nine steps would enable this Government to raise $4.3 billion with no new taxes. Surely, Mr. Speaker, the bill I have introduced today deserves a good hard look by this Congress.

I would like at this time to explain the major provisions of my bill to all Members of the House.

Mr. Speaker, the single loophole in the law which screams to heaven for adjustment is the oil depletion allowance which allows oil companies to deduct 27.5 percent of their income before they even start to pay taxes. The apologists for this loophole would have us believe that this deduction is necessary to enable the small wildcat driller to obtain the oil which is necessary to keep this Nation functioning. In practice, however, it has enabled the largest oil companies in the world to avoid paying their fair share of the tax load.

Mr. Speaker, consider these figures. In 1965, the 20 largest oil companies paid corporate taxes of 6.3 percent on earnings. Other less favored corporations paid the corporate tax of 48 percent. The largest oil company, Standard of New Jersey, paid $82 million or a rate of less than 5 percent. The poorest taxpayer in the 14th District of New Jersey or anywhere else in America paid at a rate of 14 percent or more. Surely before we saddle the small taxpayer with an additional burden we have a duty to go after the big fellows who are getting off so lightly.

Mr. Speaker, the mineral depletion allowance gambit has gone on too long and now is a time for this House and the other body too, to take a hard look at the whole Internal Revenue Code.

Mr. Speaker, I do not come before this body as a great tax expert, but my years as an attorney and as a magistrate have equipped me to seek equity and it is for this reason that I have drafted a bill which I think will serve as a rough guideline for action along these lines by the Congress to raise needed revenue without imposing the 10-percent surtax on our middle income citizens.

Section 2 of the bill would enable the Government to realize $2.5 billion by closing up the capital gains loophole. Under present law, if a person sells a capital asset, he is taxed at 25 percent, the capital gains rate. Yet, if he dies before selling or transferring the asset his estate pays no tax at all. This section would permit the taxation of such property at the standard capital gains rate.

Section 3 of my bill would end the unlimited charities deductions which permits millionaires to deduct up to 90 percent of their income for charitable donations while the ordinary taxpayer is limited to 30 percent of his income. How this works is that there is a special provision in the code which permits a taxpayer who has given away or paid in State and local income taxes 90 percent of his taxable income in 8 out of 10 years to deduct up to 10 percent. This loophole permits the man with a large income from municipal bonds or through capital gains to pay virtually no tax at all. Second, I might point out at this point that the present tax law allows another little gimmick designed to aid our rich taxpayers. The United Auto Workers Report in its July 17, 1967, edition points out that a person wishing to give away a work of art valued at $50,000 can have a strawman offer him $150,000 for it. After turning down the offer he then gives it away and deducts the puffed up price of $150,000.

Section 4, Mr. Speaker, would end the stock option provision in the code which permits highly paid corporate executives to exercise an option to buy tomorrow at today's prices, large chunks of their companies' stocks and thus pay taxes at a rate of 25 percent rather than the steeper rates which they would normally have to pay.

Section 5 would repeal the $100 dividend exclusion which permits a taxpayer to pay no taxes on the first $100 of dividends at a cost of the Treasury and to the six out of seven taxpayers who do not have dividend income, of some $200 million annually.

Section 6 deals with the multiple corporate dodge which permits the division of a single business entity into several units permitting the separate units to be taxed at the rate of 22 percent which is assessed against the first $25,000 of corporate income rather than the 48 percent which is assessed after the first $25,000 of income.

Section 7 would forbid the financing of plants owned by private industry by municipal governments who are able in this way to aid the corporations by financing this plan by tax-free municipal bonds. This provision in the code ostensibly written into the law to aid depressed areas has resulted in great abuses. Ending this device alone would bring in $50 million a year.

Section 8 would lower the oil depletion to 15 percent. Very frankly, I would prefer a lower figure but I think 15 percent would be a start in the right direction. In this section the depletion allowance for other minerals which is presently 23 percent would be cut to 15 percent as well.

Section 9 would establish the same rate for gift and estate taxes. Under present statutes, $3,000 a year can be given to a single individual with no imposition of a gift tax. Beyond this, $30,000 can be given away during a person's lifetime without any gift tax being imposed. In addition, any taxable gift is assessed at a rate three-fourths of that for the prevailing estate tax. This action of my bill would set a rate of 25 percent for both taxable gifts and property which pass as a result of death.

Mr. Speaker, under present law estate taxes may be paid in Government bonds which are redeemed at par value. This loophole costs the Government another $50 million a year—a not insignificant sum. Section 10 of the bill I have introduced today would end this device frequently employed by the very wealthy to avoid payment of taxes.

Mr. Speaker, I do not think this bill is the final word but it is my hope that it will provide a rallying symbol for those Members of this House who share my reluctance to further tax our middle and lower income citizens who, as I see it, are paying more than their share of the total tax load of this Nation, Federal, State, and local.

I have read very carefully the superb material put forth by my capable colleagues, Congressman REUSS and my good neighbor from New York [Mr. TENZER], from whom I have drawn heavily for their good ideas expressed in recent weeks on this House floor. It is my hope that we can produce an alternative to the plan suggested by President Johnson, which will meet the very elementary test of fairness to all.

Mr. Speaker, as I said a few minutes ago, out of the fiscal crisis of 1967 may come something more important than just raising needed revenue—a tax code which is fair to all.

The people of the 14th Congressional District of New Jersey like taxes no better than other people in these United States but they recognize, as do all sensible people, the inevitability of the taxation process. When all is said and done the people of Hudson County are willing to do their share of the responsibilities that go with citizenship. Yet, to ask these

people to bear an extra load in order to permit those more financially capable to escape their share is a policy which cannot be supported at any time.

I am not sure my bill is the final answer or whether it is an answer at all, but I do know that it is a possibility and it is a possibility worth considering. And if in any way it has helped this Nation to move toward tax reform, then I feel satisfied that I have served my people and all the overburdened middle-income taxpayers of America as I would wish to do so.

As a people, we admire justice and fair play and it is my belief that our tax laws should reflect these principles.

THE AMERICAN FARM PROBLEM

The SPEAKER. Under a previous order of the House, the gentleman from Iowa [Mr. SCHERLE] is recognized for 30 minutes.

Mr. SCHERLE. Mr. Speaker, in his last press conference, the President of the United States made some comments of great significance to the American farmer. They were so revealing that the Members of Congress, the American public, and most of all, the man who makes his living from the soil, should have these comments reemphasized.

President Johnson began by saying:

I do think the farmers are on the short end of the stick.

So far so good, but if we go no further, we miss the real kicker. The President went on to say:

I do know people are leaving the farms by the thousands and going to the cities. It is creating a very serious problem for us.

That, my colleagues, is the key to the problem right there. This administration appreciates the farm problem alright, but not until it sees the farmer, forced from his land, come into the city.

Further proof that the Johnson administration sees the farm problem only as a factor in one of its other higher priority concerns is a statement made by Orville Freeman in Des Moines earlier this month. He urged the farmers not to lose their "cool." Now, I ask you, who does he think he is talking to? Secretary Freeman talks to Iowa farmers like they were a bunch of "hippies" on Dupont Circle in Washington, D.C. We are not worried about losing our "cool" as much as we are of losing our shirts.

Most Americans have been under the impression that there is a farm program designed to help provide the farmer with a fair shake. But for those who have not already decided otherwise, the President certainly set the record straight. He said:

This Government should give very serious consideration to evolving some kind of a program that will give the farmer an equity of fairness . . .

You better believe it should, Mr. President. My colleagues, this man has been in office for 4 years, and Secretary of Agriculture Freeman has been here for 7, and now they have the nerve to say:

Serious consideration should be given to evolving some kind of a program that will give the farm an equity of fairness . . .

Mr. Speaker, we have moved through the New Deal, and a series of other deals, to what Agriculture Secretary Freeman refers to now as the New Era farm program. Today I propose a change. We have heard a lot of talk in these Halls about forcing everybody else to stick to the facts—so we have such proposals as truth in lending and truth in packaging. I can see no reason why the administration should be immune from this cleansing. Therefore, I am asking President Johnson and his Agriculture spokesman to change the name of the farm program from the New Era to the "raw deal", which comes about as close as you can get in describing the facts. Mr. Speaker, limburger cheese wrapped in angel food cake is still limburger cheese.

Let us look for a moment at some of the elements of the "raw deal." I had occasion recently to refer to many of them when I called for Orville Freeman's resignation. Most of them I will not repeat, but as he is still in the saddle, we need to keep up to date.

It is a "raw deal" when the administration asks the farmer to grow more food for the President's war against hunger, and then does nothing to assure him of a fair price for his efforts.

It is a "raw deal" when the farmer is asked to produce more wheat for the President's food-for-peace program, and then when he comes through with what is expected to be a bumper crop, 15 percent above last year, nothing is done to keep the bottom from going out of the market.

It is a "raw deal" when 5 years of Kennedy round negotiations in Geneva result in a "sell out" of American agriculture. The American farmer can well ask what he got in exchange for the 60 percent cut in our tariff on swine. He can also ask why we failed to shake the Europeans loose from their variable import levies, and why we had no success in lowering the trade barriers on such agricultural products as wheat, feed grains, rice, meats, dairy products, poultry, and eggs.

It is a "raw deal" when the errors by the USDA's Statistical Reporting Service appear to have contributed to the loss of millions by the American farmer. The cost of crop and livestock estimating portions of this program have risen from $7,470,000 in 1961 to $12,658,000 in fiscal 1967. Mr. Freeman has now indicated he will ask for an additional million next year to improve this program. While we are pleased that the Secretary sees the need to eliminate these costly errors, the record of this program does not convince me that more money is the answer. We will offer legislation that will actually cut the present appropriation.

My colleagues, it is a "raw deal" when we cannot schedule hearings on permanent dairy and meat import legislation because the Ways and Means Committee has to spend its time on a tax increase bill which would not be necessary if the administration had held the line instead of encouraging wasteful and extravagant nondefense spending.

It is a "raw deal" when 43.4 percent of our farms in 1966 earned an average of only $796 apiece. I will say one thing for Orville's new era farm program—the administration is certainly keeping on schedule with that portion designed to drive the little guy off the farm. As an example, Freeman's program is designed to eliminate 43.8 percent of the farms in my congressional district. My neighbors are wondering who will be next, and my colleagues, I will bet some of yours are too.

Mr. Speaker, it is a "raw deal" when the farmer who receives only 38 cents out of each food dollar is blamed by the American consumer for high food prices. Something is wrong when a finger is pointed at the guy who gets only 2.8 cents for the corn in a 30-cent box of cornflakes; 3 cents for the wheat in a 22-cent loaf of white bread; 59 cents out of each dollar spent for choice beef; and 24 cents from each half gallon of milk. Something is wrong when the farmers have a Secretary of Agriculture who cannot seem to set the record straight.

Something is wrong when the price of corn continues to drop in spite of the fact that Government owned and controlled stocks are supposedly only about 20 percent of their 1961 levels. We have been led to believe that the end of the surplus would bring better prices. Mr. President, the American farmer wants to know, "Just what is going on."

It was a "raw deal" when the farmer in mid-July found wheat prices down 37 cents, soybeans down 71 cents, and corn down 20 cents from last year's mid-July levels. It would take a 6-percent jump in farm prices by the end of August to equal prices of a year ago.

It is a "raw deal" when the President asks for a 10-percent increase in taxes for 1967 at the same time the farmer is being told his income is already down 11 percent from last year. Who else in this country is willing to take an 11-percent pay cut? No one. Not the Congressman, the teacher, the businessman, the union leader, the laborer, the professional, or anyone else, and the farmer does not like it either.

Mr. President, the farmer cannot afford the pay cut, nor can he afford your tax increase either.

And while we are looking at pay cuts Mr. President, Iowans would like back the $350 million you took from them last year in inflation, and they wish, although they know better, that they were not going to lose even more this year.

And what is the administration's answer to the plight of the farmer? Well, last week the USDA recommended that he keep his corn on the farm and wait for higher prices. But early last spring when we asked the administration to rescind its callup order on 1962–63 sealed corn, the answer was "no dice."

The newest idea being promoted is referred to as a "strategic commodity reserve." Under this program, sponsored by the Department of Agriculture and the President, the Government would buy up crops to bolster prices. Sound familiar? It sounds to me like they have just changed the name of the song, but the tune is still the same. Sure, while the Government buys, prices may go up or fall more slowly, but what happens when the Government decides to sell? And it

will, because it has. Furthermore the decisions will be made by Mr. Orville Freeman, the same guy who is known the country over for his past recommendations on such matters. No—this man has not proven that his decisions reflect the best interests of the American farmer.

I might add that apparently Mr. Freeman regards the "strategic commodity reserve" as the solution to his Department's production estimating difficulties as well. Recently in Des Moines, Iowa, Freeman said:

With a strategic grain reserve program . . . this problem of estimating would vanish.

Yes, I guess it would, but that is not the only thing that would vanish.

Mr. Speaker, the Nation's farmers are in trouble. In spite of the fact that our overall national income went up 223 percent from 1947 to 1966, the net income from farms was down from $17.114 billion to an estimated $14.5 billion for 1967. That is a "raw deal" if I ever heard of one, and until we have some changes around here, I think we had better face the facts and call it what it is, a "raw deal."

Mr. Speaker, there are some who take out their frustrations on society by rioting, looting, burning, and destroying the property of others. We all know this is one way to attract attention. The American farmer, angered because of Government policies which prevent him from reaping a fair return for his labor and investment, could probably do the same to dramatize his plight, but he will not. His way of life has caused him to respect the rights of others and to realize that nothing can be gained by such wanton destruction. The question remains, however, "What has the farmer done that he should deserve this kind of treatment? Why is he penalized?"

Although he now numbers less than 6 percent of the Nation's population, the farmer does ask that he be treated fairly and that he not be written off by the very Government he labors to support. He also asks that the policy of that Government be designed to provide him with the opportunity for a fair return for the contribution he is making to the American way of life. This is not asking too much.

Mr. FINDLEY. Mr. Speaker, will the gentleman yield?

Mr. SCHERLE. I am glad to yield to the gentleman from Illinois.

Mr. FINDLEY. I want to compliment the gentleman for his remarks. I was in my district, which is country Illinois, last weekend, and had the opportunity to talk firsthand with a number of farmers. I find they are almost in a state of despair over the decline of prices they are receiving and the increase of prices they have to pay.

I am sure the gentleman noticed last month the figures issued by the Department of Agriculture, which showed that the July 15 index of prices received by farmers was down 11 points compared to a year earlier, whereas the index of prices paid was up 11 points.

I am sure the gentleman is aware also that the parity ratio is at the lowest point since the depression 1930's, at 76. In 1960, in the campaign, we heard a lot from the Democratic side about 90 percent of parity as being the objective farmers could reasonably look forward to if they put Democrats in power in this country. Well, today the parity ratio is not 90 percent, and it is not 100 percent; it is 76.

I believe it is well worth noting that the parity ratio has declined substantially from the 81 parity ratio, where it stood when Republicans last were in charge in the White House.

Mr. SCHERLE. I thank the gentleman from Illinois, who is very well informed and knowledgeable on the subject of agriculture.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. SCHERLE. I would be happy to yield to my colleague from Iowa.

Mr. GROSS. I want to commend the gentleman from Iowa [Mr. SCHERLE] for the excellent statement that he has made and say to the gentleman that I concur wholeheartedly in those statements.

It was only a couple of weeks ago that 35,000 farmers assembled at Des Moines, Iowa, demonstrating positive, living and breathing proof of the anger of the midwestern farmers at the treatment that has been accorded them in the economic scheme of things in this country.

I would only say by way of conclusion that if President Johnson and Secretary of Agriculture Freeman are unable to pull some kind of a rabbit out of some kind of a political hat between now and next summer—if they are unable to do that, they are going to be in deep and dire trouble politically next fall.

I thank the gentleman for yielding.

Mr. SCHERLE. I thank my colleague, the gentleman from Iowa, for whom I have the greatest respect, and for his outstanding service here in the House of Representatives to all America.

FARMERS NOT RECEIVING FAIR SHARE OF NATIONAL INCOME

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. ZWACH] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. ZWACH. Mr. Speaker, I have today received some very revealing income statistics from 223 farmers in one of the better agricultural counties in Minnesota, and a county that ranks in the top 100 agricultural counties in the United States.

This county is Renville, located in the Sixth Congressional District in the State of Minnesota. According to the Secretary of Agriculture, 1966 was the best income year that agriculture has ever had.

These averages are from full-time farmers—not corporations, and not so-called subsistence farmers where most of their gross income is derived from off-farm employment.

The average net taxable income average was $3,847. In the total 223 returns, only 30 were entitled to contribute the maximum under the social security program, while 99 had incomes of under the national poverty level of $3,000.

Mr. Speaker, such figures clearly show that farmers are not receiving anywhere near their fair share of the national income. A prolongation of this state can only mean a rotting away of the growth base for our country. As more and more foreign agricultural goods are imported at a world price level, fewer and fewer farmers can compete or exist.

BURIAL OF GEORGE LINCOLN ROCKWELL IN NATIONAL CEMETERY

Mr. MAYNE. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. GOODLING] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GOODLING. Mr. Speaker, every red-blooded American shuddered with dismay at the prospect of George Lincoln Rockwell being buried with military honors in a national cemetery if he were dressed in a Nazi uniform and his casket carried by so-called storm troopers.

I directed a telegram to both the Secretary of Defense and the Secretary of the Army, protesting this kind of burial, and because I want to have it documented as to how I felt on the matter, I insert into the RECORD at this point the text of my wire. It follows:

AUGUST 28, 1967.

Hon. STANLEY R. RESOR,
Secretary, Department of the Army,
At the Pentagon,
Washington, D.C.:

Strongly object to burial of George Lincoln Rockwell in a National Cemetery with full military honors if he is garbed in a Nazi uniform and borne by a replica of Nazi storm troopers. Do not object if he is buried with military honors minus the Nazi paraphernalia. Burial in Nazi regalia would act to honor that evil which American soldiers of World War II fought, died, and bled to destroy.

Congressman GEORGE A. GOODLING,
19th Congressional District,
Pennsylvania.

THE VIETNAM STORY

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. FEIGHAN] is recognized for 60 minutes.

Mr. FEIGHAN. Mr. Speaker, when the East-West conflict became a military issue in Korea, not much was known about that far-off land; however, the name Korea became a household word before the fighting was over. Similarly, with the passage of time, Vietnam promises to take on the same significance in the minds of Americans. This Vietnam story will attempt to retrace the history of our involvement, clarify confusion, and evaluate our present prospects in the area.

After World War II our Government adopted a policy of containment of Communist aggression wherever it might exist. This applied to Asia as well as Europe. In 1950, when China was overrun and lost, our Government was faced with the problem of redefining our primary strategic interest in the area. Southeast Asia was chosen as the area to defend, with Indochina, now known as Vietnam,

as the forward barrier to contain further advances. The French were already there trying to retain their historical colonial status against emerging independence movements led by the Communists. When it was evident the French were having a trying time, and might not linger long, the United States, as a stopgap measure, adopted a two-pronged assistance program to: First, provide economic assistance to improve the welfare of the non-Communist elements; and second, grant military supplies to strengthen the defenses of the area opposing the Communists.

By the spring of 1954, the Communists had escalated their strength to over 500,000 well-trained and well-armed troops, with supporting artillery and other heavy weaponry. French military fortunes worsened, and climaxed by the disastrous defeat at Dienbienphu. In Paris cabinets changed. Mendes-France was elected Premier on the pledge that he would seek a peaceful solution to the fighting in the area.

The Geneva Convention was convened to bring about a peace settlement. France, the United States, Great Britain, the Soviet Union, Communist China, the Hanoi regime, the State of Vietnam, Laos, and Cambodia participated. During the course of negotiations, the United States privately expressed apprehension over Communist demands; however, the Geneva Convention ultimately concluded its business on mainly the following conditions:

First. Laos and Cambodia to be left as separate and independent states;

Second. Vietnam to be divided by a 17th parallel, the north under Communist control, and the south to remain free;

Third. Troops or guerrilla forces under Hanoi's control in south Vietnam to be recalled north; and,

Fourth. An International Control Commission, composed of representatives of India, Poland, and Canada to police the provisions of the Geneva Convention.

The United States refused to join the Geneva Declaration on the grounds that it had not been a belligerent and the agreement contained features inadequate to insure peace. The United States stated, however, that it would abide by the terms of the Geneva agreement, but warned that it would view with grave concern any renewal of aggression in violation of the agreement and as a serious threat to peace.

It was not long before the agreement of Geneva was no more than a mere scrap of paper. Hanoi forces in South Vietnam were not removed. They became stronger through further aid from North Vietnam. The 17th parallel became meaningless. The Communist chose to use a route of conquest into South Vietnam through Laos and Cambodia. And the International Control Commission was ineffectual. Hanoi violations of the Geneva Agreement became rampant. In effect, the Geneva Convention brought no peace to Vietnam. At best it was a temporary truce until such time the Communists chose further escalation.

With the passage of time the increasing guerrilla activity in South Vietnam appeared to the United States to be part of a planned campaign by Hanoi to bring about a Communist revolution. At this stage Hanoi had formalized the designation of their guerrillas as the Vietcong, and announced the formation of a political front known as the National Front for the Liberation of South Vietnam. The Vietcong disrupted lines of communication in South Vietnam and through general terrorism were affecting the economic and political stability of South Vietnam. The State Department took note of this situation with its report entitled, "A Threat to Peace—North Vietnam's Effort To Conquer South Vietnam." This report concluded:

> The Communist program to take over South Vietnam has moved into a new and more dangerous phase. . . . It is impossible to look at South Vietnam today without recognizing the clear and present danger of Communist conquest.

Therefore, token U.S. assistance increased in 1962 with the establishment of a military mission in Vietnam to help plan, train, and equip South Vietnam forces. Simultaneously, economic aid was intensified.

By 1964 the pattern of outside aid on the part of Peking and Moscow to Hanoi was obvious. Peking had been giving North Vietnam tactical combat personnel to undertake specialized duties with North Vietnamese and Vietcong troops. The Soviet Union, the greater contributor, was extending a large volume of material aid in the form of advanced weaponry, jet aircraft, and nuclear devices. This known trend was heightened and sharpened by the Gulf of Tonkin incident.

On August 2, 1964, three North Vietnamese torpedo boats attacked a U.S. destroyer, the U.S.S. *Maddox*, which was on routine patrol in the Gulf of Tonkin, some 30 miles off the coast of North Vietnam. Two days later the *Maddox* along with another destroyer, the *C. Turner Joy*, was again attacked by torpedo boats resulting in an exchange of fire. The United States drew attention of these attacks to the Security Council of the United Nations. The Security Council, without a vote, agreed to invite North and South Vietnam to provide information. Although South Vietnam indicated its acceptance, North Vietnam refused, issuing a statement that the Geneva conference powers, not the United Nations, had the right to examine the dispute. After considerable deliberation President Johnson delivered a message to Congress asking for a resolution expressing the unity and determination of the United States in supporting freedom and in protecting peace in Southeast Asia. A joint resolution was passed on August 7, 1964, by a vote of 88 to 2 in the Senate, and 416 to 0 in the House, and became law—Public Law 88–408—on August 10, 1964. It resolved:

> That the Congress approves and supports the determination of the President, as Commander in Chief, to take all necessary measures to repel any armed attack against the forces of the United States and to prevent further aggression;
>
> The United States regards as vital to its national interest and to world peace the maintenance of international peace and security in Southeast Asia . . . the United States is . . . prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom.

This period is extremely important to those who might be unclear as to the manner in which the issues were joined in Vietnam.

In addition, some explanation is necessary regarding the authority of the President to conduct war in Vietnam.

Whether or not the President has the constitutional authority to conduct the war in Vietnam without an actual declaration of war by Congress depends on one's interpretation of the President's power as Commander in Chief of the Armed Forces of the United States and his duty to see that the laws are faithfully executed.

According to the administration, the President's authority and duty to conduct military operations in Vietnam stem from the following: Our commitments under the Southeast Asia Treaty, the pledges to the Republic of South Vietnam made by Presidents Eisenhower, Kennedy, and Johnson; assistance programs annually approved by Congress since 1955; declarations issued at the SEATO ministerial council meetings of 1964 and 1965; the joint congressional resolution of August 6–7, 1964, and the supplemental defense appropriations for Vietnam operations of May 7 and September 17, 1965.

As a treaty in force the Southeast Asia Treaty is a law of the land to which the United States is bound as a sovereign nation with rights and duties under the law of nations. The treaty is designed to protect its members, and any of the three non-Communist states growing out of former French Indochina which asks for protection, against "Communist aggression." Those arguing the case for presidential prerogative point out that Congress has passed no specific restrictions on the President's execution of American responsibilities under the treaty other than that the "aggression" referred to under article IV of the treaty be "Communist aggression." They further point out that economic and military aid to South Vietnam began in 1954 under President Eisenhower, and that since 1955 Congress has annually approved overall economic and military assistance programs in which the continuation of major aid to South Vietnam has been specifically considered.

The Council of the Southeast Asia Treaty Organization issued communiques on April 15, 1964, and May 5, 1965, concluding that:

> The defeat of this Communist campaign is essential not only to the security of the Republic of Vietnam but to that of Southeast Asia.

Later, in describing the intensified situation in Vietnam, the State Department released a white paper entitled "Aggression From the North" referring to the conflict in Vietnam as a new kind of war, in which a Communist government had "set out deliberately to conquer a sovereign people in a neighboring State" using every resource in a "carefully planned program of concealed aggression." Communist forces were attacking civil and military installations in South Vietnam

at will. The toll of American noncombatants were numbered in the hundreds; terrorism against the apathetic South Vietnamese people was alarming. Hence, in February 1965, U.S. escalation countered North Vietnam escalation with the use of combat troops in the area, and the commencement of air strikes against targets in the north. Since that time our combat troops in South Vietnam have increased to approximately 550,000.

At this juncture it is necessary again to dwell on the subject of Soviet aid to the North Vietnam theater of operations. It was expanding and developing as a significant factor in the Vietnam war. This aid was very much like the pattern used in assisting the enemy during the Korean war. Incidentally, it was only after it was known that Soviet aid was creating an entirely new military situation or threat did we bomb targets in North Vietnam. Now it can be said that most of the automatic weapons we capture are of Soviet manufacture, and most of our plane losses have resulted from the use of Soviet antiaircraft guns, missiles, or Mig jet aircraft. Of particular devastating effect in Vietnam are the employment of the unprecedentedly large mortars of Soviet manufacture with a range of 7 miles.

While our actions in Vietnam are generally reported in the context of escalation, the fact of the matter is that the nature of Chinese-Soviet aid has enabled the enemy to first escalate. Soviet aid is more important than most people realize in the actual operation of a war. There are now over 100,000 tons of Soviet supplies being landed monthly at the port of Haiphong, which makes this center more of a strategic target than Hanoi. It is said that the Soviets with an investment of less than $2 billion a year, and no real loss of life, are helping to force the United States to wage war that now has taken over 12,000 lives, and costing us directly over $24 billion a year.

At present no one can predict an early cessation of the fighting with victory on our side. The war in Vietnam is certainly not tailored to our likes, or to our methods of combat control. There is no common front to enable our commanders to engage the enemy at any given point with maximum resources. The enemy chooses to fight an Indian-type warfare utilizing the cover of jungles, and their more familiar knowledge of the paddyland. Consequently, the accepted method is to "search and destroy" wherever the enemy can be found or trapped, be it in small numbers at times. Nevertheless, there is a gradual upturn in our fortunes in Vietnam. The phase now ending was marked by the American buildup in Vietnam, and by the use of bombing in North Vietnam for the dual purpose of destroying enemy bases and bringing the other side to the peace table. One thing is now certain, a Communist military takeover of South Vietnam is out of the question, unless we lose it through the Communist method of exploiting a cease-fire or truce, or at the conference table.

Winning the war by cease-fire is a familiar Communist tactic. This was clearly demonstrated in China, thence Korea, and now possibly in Vietnam. On the last occasion of an extended period of cease-fire or truce in Vietnam we agreed to a temporary cease-fire on humanitarian grounds to enable the Vietnamese people to enjoy a respite or a relief from the fighting during their New Year's holidays. Needless to say, our decision to agree to the truce was also based on a desire to demonstrate to the Communists of Hanoi our willingness to ultimately seek an end of the fighting in Vietnam, providing an honorable peace could be assured the Vietnamese people.

Apparently our good intentions were not rewarded, for under the cloak of this cease-fire, the enemy moved more troops to the forward areas, and generally improved its military position as a result of the truce.

Before we leap headlong into peace negotiations with the enemy in Vietnam, probably it will best be for us to take a hard look at the enemy's intentions in violating cease-fire agreements because their practice of violating a formal cease-fire agreement might well weaken our position at the conference table while discussing peace.

Let us review and clarify our attempts at peace. This too is a subject much debated and confused. After we explore all channels in search of a peaceful settlement in Vietnam, the Communists have come back stating the following four points as the basis for peace talks:

First. The United States must end its policy of intervention and aggression in South Vietnam. It must withdraw all troops and weapons of all kinds, dismantle all military bases, and cancel its military alliance with South Vietnam.

Second. Pending the peaceful reunification of Vietnam, the two zones must refrain from joining any military alliance with foreign countries.

Third. The internal affairs of South Vietnam must be settled by Vietnamese people themselves with the Vietnam National Front for Liberation (Vietcong).

Fourth. The peaceful reunification of Vietnam is to be settled by the Vietnamese people in both zones, without foreign interference.

In turn our Government has made known its following views as a basis for a peace settlement:

First. The Geneva Agreements of 1954 are an adequate basis for peace in Southeast Asia;

Second. We would welcome a conference on Southeast Asia or on any part thereof;

Third. We would welcome unconditional discussions;

Fourth. A cessation of hostilities could be the first order of business at a conference or could be the subject of preliminary discussions;

Fifth. Hanoi's four points could be discussed along with other points which others might wish to propose;

Sixth. We want no U.S. bases in Southeast Asia;

Seventh. We do not desire to retain U.S. troops in South Vietnam after peace is assured;

Eighth. We support free elections in South Vietnam to give the South Vietnamese a government of their own choice;

Ninth. The question of reunification of Vietnam should be determined by the Vietnamese through their own free decision;

Tenth. The countries of Southeast Asia can be nonalined or neutral if that be their option;

Eleventh. We would much prefer to use our resources for the economic reconstruction of Southeast Asia than in war. If there is peace, North Vietnam could participate in a regional effort to which we would be prepared to contribute at least $1 billion;

Twelfth. The President has said:

> The Vietcong would not have difficulty being represented and having their views represented if for a moment Hanoi decided she wanted to cease aggression. I don't think that would be an insurmountable problem.

Thirteenth. We have said publicly and privately that we could stop the bombing of North Vietnam as a step toward peace although there has not been the slightest hint or suggestion from the other side as to what they would do if the bombing stopped.

In assessing the two opposing views on a peaceful settlement of the war in Vietnam we find that Hanoi's conditions display considerable intransigence, and if accepted, they would lay the basis for rapid subversion and takeover of South Vietnam, if not leave implications of our ultimate complete withdrawal from mainland Asia. In addition, Hanoi now insists that we cease bombing North Vietnam as a pre-condition to peace talks. As a matter of fact bombing of targets in North Vietnam which include mainly their lines of communication or transportation is the only defense we have against their continued buildup, or their continued efforts at escalation. In view of these Hanoi peace tactics, it is possible their motive is to extend the war, hoping we will be frustrated by attrition, and a divided homefront will force us to a peace conference in a mood of surrender.

A measure of the confusion and controversy surrounding the Vietnam war and the American role can be seen in words of titles of books written about it, such words as nightmare, quagmire, lost revolution, mission in torment, and the like. Debate still flourishes. Many who originally supported the President, giving him authority to act after the Gulf of Tonkin incident, have now recanted. These individuals believe it to be more of a civil war in Vietnam than an act of external aggression, and they are not convinced that U.S. vital interests are involved in preventing a Communist takeover of South Vietnam. Needless to say, these views do not take into account the proof of external aggression covered by this Vietnam story, and the prospect of an eventual takeover of all of Southeast Asia, if the Communists overrun South Vietnam.

As already stated in the opening remarks of my Vietnam story, one of the main principles of our foreign policy since World War II, has been to contain or prevent expanding Communist aggression in the world, whether it be in Europe or Asia. This policy has been bipartisan. To accept defeat in Vietnam will entail a complete review of our traditional foreign policy, and a recogni-

tion of the consequences. We live in a world fraught with danger.

Despite our persistent efforts to conclude a disarmament treaty with the Soviet Union, and other methods "to build bridges to peace," we are faced with a new crisis in the world. In many respects the world crisis of today has more sinister aspects than any international development in the last decade. America's intervention either by diplomacy or military steps in Greece, the Suez controversy, and the Congo have been a preventive to a larger war. The U.N. acted prompty in the Korean crisis in 1950. Except for the readiness of this country to take action then, all of Korea would now be in Communist hands. The Communist game seems to involve the United States in other areas in the hope that America will get out of Vietnam soon and, shortly thereafter, from the Western Pacific, leaving the Philippines, Australia, New Zealand, India, Thailand, Laos, Cambodia, Korea, Taiwan, and perhaps Japan to get along as best they can.

A crisis of the utmost gravity today confronts the world. The United States, as the leader of free nations of the globe, cannot afford to falter, or give up its objective or yield to Communist pressure.

THE ELECTION FRAUD IS IN HANOI, NOT IN SAIGON

The SPEAKER. Under a previous order of the House, the gentleman from Texas [Mr. PICKLE] is recognized for 10 minutes.

Mr. PICKLE. Mr. Speaker, as we all know, there is going to be a vital election in the Republic of South Vietnam in the next few days.

The United States has a stake in it because the lives of our fighting men have made it possible, and the efforts of our diplomats and technicians have helped it along.

Yet, there are some who are apparently trying to annul the effects of the election before they take place by crying "fraud," or "foul."

The world press—including the American press—seems to have discovered the election and its problems just a few weeks ago.

The truth of the matter is that President Johnson and the United States have been urging free and honest open elections in South Vietnam for the past 2 years. And the reason why we are so interested is that we have had no small a role in encouraging the growth of representative institutions in that country.

In addition, President Johnson's decision to send a team of independent and bipartisan American observers is a further indication of our concern in the basic democratic process.

We have reports of charges and countercharges in the press, that the Vietnamese election is one thing, or another thing, or rigged, or controlled, or that we are overly intruding.

But what I see is a free-wheeling, American-type election in which speakers on the stump are engaging in a little bit of campaign boasting or exaggeration, and where candidates occasionally take the gloves off in talking about their opponents.

Is this "fraud?"

Is there going to be fraud when the Government of South Vietnam itself invites the world press, foreign observers, American observers, and the United Nations?

The only thing that is missing to observe the election is a TV monitor in each voting booth.

But we do not have that in the United States. So let us not expect the Vietnamese to be more pure than Americans when they vote.

I would say that the fight against communism and for freedom and independence in South Vietnam is paying off.

It is paying off militarily because we are hurting the Vietcong and the North Vietnamese.

It is paying off in the civilian sector because this threatened nation is now able to hold an open election.

It appears it will be an open and successful election—and maybe that is what hurts a lot of our doubters or dissenters. And an open election is more than the Communists in the North would do.

Those ready to holler "fraud" ought to send their comments special delivery to Ho Chi Minh who is an expert in "unanimous" elections.

I say, let us wait for the dust to settle in South Vietnam and see who has won and who has lost.

Let us see if the South Vietnamese who often brave death to cast a simple vote will not make their democracy something new in Southeast Asia.

I have faith in the people, and I think they are going to show us something special in days ahead.

STUDY OF ORGANIZED CRIME AND THE URBAN POOR

The SPEAKER pro tempore (Mr. WHITE). Under previous order of the House, the gentleman from Pennsylvania [Mr. MCDADE] is recognized for 30 minutes to include charts, tables, and extraneous matter.

Mr. MCDADE. Mr. Speaker, for the past several months 22 of my colleagues here in the House have worked with me on a study of one of the most serious problems in the United States today, the problem of organized crime and the urban poor. Today we have released the results of that study.

In bringing the subject matter to the attention of the House and the country, I wish to express my appreciation to Congressmen CHARLES MCC. MATHIAS, JR., CHARLES A. MOSHER, HOWARD W. ROBISON, ROBERT TAFT, JR.; and to Congressmen MARK ANDREWS, ALPHONZO BELL, WILLIAM T. CAHILL, JOHN R. DELLENBACK, MARVIN L. ESCH, PAUL FINDLEY, PETER H. B. FRELINGHUYSEN, JAMES HARVEY, FRANK HORTON, F. BRADFORD MORSE, OGDEN R. REID, HERMAN T. SCHNEEBELI, RICHARD S. SCHWEIKER, FRED SCHWENGEL, GARNER E. SHRIVER, ROBERT T. STAFFORD, J. WILLIAM STANTON, and CHARLES W. WHALEN, JR.

I commend the study of this paper to all of my colleagues here in the House. With your permission, Mr. Speaker, I now append the text of that paper to my remarks.

THE URBAN POOR AND ORGANIZED CRIME

INTRODUCTION

All Americans are concerned with the continued rise in the nation's crime rate. The Safe Streets and Crime Control Act was proposed and came on the national scene at a time when it led many to think that it was a complete and comprehensive answer.

The fact is that the Safe Streets and Crime Control Act as offered by the Administration proposed to do little or nothing about organized crime! Nor is a meaningful approach offered by any other Administration proposal. This leaves a serious question whether the Administration is waging any worthy fight at all against organized crime.

Ordinary street crime is a national problem—but one which can and should be solved at the local level. But organized crime is a national problem which requires a national solution—and none has been offered by this Administration.

Fred Vinson, Jr., Assistant Attorney General of the United States in charge of the Criminal Division, appeared before a subcommittee of the Government Operations Committee on April 13, and agreed that the heart and soul of organized crime is "gambling on a national level, all interstate, interlocked, and directed."

This emphasizes that only a nationally-directed effort can control organized crime.

Furthermore, much street crime has its origin in the workings of organized crime. It has been estimated that fully half of the street crime of New York City is committed by narcotics addicts in search of money for drugs. The drugs are distributed and peddled by organized crime.

Not only has the Administration offered no substantive legislation on organized crime to accompany the Safe Streets Bill, but it has allowed the Kennedy Administration's war on organized crime to grind to a virtual standstill. The record is overwhelming to support this contention; that record is documented in this report.

The language of the report of the National Commisison on Law Enforcement and Administration of Justice, issued in February 1967, put the problem of organized crime in its proper perspective:

"In many ways, organized crime is the most sinister kind of crime in America. The men who control it have become rich and powerful by encouraging the needy to gamble, by luring the troubled to destroy themselves with drugs, by extorting the profits of honest and hardworking businessmen, by collecting usury from those in financial plight, by maiming or murdering those who oppose them, by bribing those who are sworn to destroy them. Organized crime is not merely a few preying upon a few. In a very real sense it is dedicated to subverting not only American institutions, but the very decency and integrity that are the most cherished attributes of a free society. As the leaders of Cosa Nostra and their racketeering allies pursue their conspiracy unmolested, in open and continuous defiance of the law, they preach a sermon that all too many Americans heed: The government is for sale; lawlessness is the road to wealth; honesty is a pitfall and morality a trap for suckers.

"The extrordinary thing about organized crime is that America has tolerated it for so long."

The picture of organized crime seen by the American public has been painted by spectacular Congressional investigations and by occasional television and newspaper accounts. It is a picture of a network of wealthy and well-dressed criminal bosses operating legitimate businesses with illegitimate funds. It is a picture of disreputable gangsters increasingly achieving reputable positions in their local communities. It is a picture of men who lead double lives—the prominent lawyer who is secretly also the boss of the local syndicate. If the picture shows brutality or violence it is generally

the brutality of one segment of the underworld attacking another.

The picture is not inaccurate, but is sadly incomplete. It omits the really important reasons why our society must wage war on organized crime. The picture shows the profits of organized crime, but it does not show the victims.

THE VICTIMS ARE THE URBAN POOR

The victims of organized crime are the urban poor. A society concerned about poverty must be concerned about organized crime—for while Federal money is poured into the urban poverty areas, organized crime siphons money out of the same areas. Badly needed funds from welfare programs go to the urban poor and organized crime takes money from the urban poor. Continued indifference to organized crime threatens to turn government welfare and anti-poverty programs into a subsidy for society's most notorious predator. Dedicated local officials are largely helpless in tackling problems of such magnitude.

We support efficiently administered welfare, training and anti-poverty programs. We wish that they could be made more effective. To do so requires a serious and comprehensive attack on organized crime.

The proof is evident in a quick look at the major sources of income for organized crime.

THE NUMBERS GAME

This racket "game of chance" has little or no appeal to the comfortable within our society—to the rich, to the educated, to the well-employed. It appeals to those who are desperate to improve their lot in life, who are looking everywhere for a quick way out—in short, to the urban poor. It is merely a polite form of extortion. Like a leech, organized crime, through the numbers racket, sucks the life blood of the urban poor from them by offering them the illusion of a chance for great wealth. Even where the game is "honestly" run, the odds against winning are generally a thousand-to-one and the payoff only five hundred-to-one. The Administration quotes as a "very conservative estimate" a $20 billion annual gross intake for organized crime from gambling and numbers games alone—and a $6 billion annual profit—and most of it comes from those who can least afford to pay. The money can only come at the expense of the health, food, clothing, shelter or education of the poor. The Administration has asked Congress for $2.06 billion for the War on Poverty in Fiscal 1968; the profits of organized crime from gambling will be three times larger for the same period.

NARCOTICS

The use of narcotics is largely concentrated not among the affluent but among the poor, where drugs seem to represent one of the few means of temporary escape. Again, it is organized crime which is responsible for preying on the misery of the poor by offering them the illusion of escape—which too often results in permanent desperation. Those who can least afford it, both psychologically and financially, become narcotics addicts, who find only mounting desperation as they seek the money to feed their habit. As the Crime Commission attested:

"More than one-half the known heroin addicts are in New York. Most of the others are in California, Illinois, Michigan, New Jersey, Maryland, Pennsylvania, Texas, and the District of Columbia. In the States where heroin addiction exists on a large scale it is an urban problem. Within the cities it is largely found in areas with low average incomes, poor housing, and high delinquency. The addict himself is likely to be male, between the ages of 21–30, poorly educated and unskilled, and a member of a disadvantaged ethnic minority group."

It has been estimated that fully 50% of the street crime in major urban centers—such as petty theft, assault and robbery, prostitution—is the product of narcotics addiction which forces its victims to find drug money anywhere they can. The warlords of this cycle of poverty and crime are the organized crime racketeers. If their activities could be curtailed, the growing crime rate would be dramatically reduced, and the War on Poverty might have a better chance to succeed. The Administration spent $352 million on Project Head Start in Fiscal 1967 to give a chance to the children of the poor; the minimum estimates place organized crime's narcotics "take" at $350 million, almost all of it from the poor.

LOAN SHARKING

The affluent can almost without exception find trustworthy lending institutions which will extend them funds at standard rates of interest when they need it. But those who are poor and desperately need money quickly frequently can borrow it only at exhorbitant interest rates (e.g. 20% a week) from the loan-sharking outfits of organized crime. And when the victims cannot repay they are threatened with violence unless they will resort to criminal activity or permit the organized crime network to take over their business. The small marginal local businessman in the concentrated areas of the urban poor is a principal victim of organized crime loan-sharking. Again, the victims of organized crime are the urban poor. In Fiscal 1967 the Small Business Administration loaned $50 million under the anti-poverty program of the Economic Opportunity Act of 1964 to small businessmen in need of help to start or continue their operations; organized crime takes over $350 million a year from America's poor through loan-sharking alone.

The affluent have one picture of the problems confronted by the poor—but the poor have another. Recent studies in Harlem and Watts show the picture:

". . . when people talked about 'problems of Harlem' or even 'problems in my block,' the mention of integrated schools, busing, police brutality or some other problems . . . just don't get much attention or mention."

". . . they chose to talk about inadequate housing, and the problems which are offspring of that major problem, such as crime, dope addiction, winos, and inadequate police protection."

It is the height of hypocrisy for government to extend to the poor a promise of help but to give only lip-service to an all-out war on organized crime.

THE PRICE THE URBAN POOR PAY IS NOT ONLY IN MONEY

The urban poor are the victims of organized crime in at least three ways. First, it is their precious money which provides the basic income for organized crime's growing network in "legitimate" business. Second, when the rate of street crime rises, as the victims of organized crime seek the quick money they need to meet the demands of organized crime, street crime is perpetrated against all segments of society including the urban poor. When a narcotics addict needs money to feed his habit he takes it where he can find it—from the affluent *and* the needy, from the rich *and* the poor. But it is the final price paid by the urban poor which may in the long run be the most insidious cost of organized crime. That price is society's lack of respect for law, order and authority—the by-products of corruption.

Organized crime cannot flourish without corruption. It is impossible for a giant narcotics ring to operate successfully without knowledge and the indifferent acquiescence, at least, of some local officials. It is impossible for organized crime to take over 20 billion dollars from America's urban poor through the numbers racket without the knowledge and the indifferent acquiescence, at least, of some local officials. It is impossible for a brutal system of loan-sharking and "protection" to flourish without the knowledge and the indifferent acquiescence, at least, of some local officials.

It is small consolation to the urban poor that most public officials at the local level are honest and incorruptible. It takes only a few corrupted by a bribe and a few more who practice the corruption of indifference to allow organized crime to thrive.

As the role and size of government continues to grow in today's society, corruption on the local level can be widespread even within the most virtuous of city administrations. The President's National Crime Commission states the case:

"All available data indicate that organized crime flourishes only where it has corrupted local officials. As the scope and variety of organized crime's activities have expanded, its need to involve public officials at every level of local government has grown. And as government regulation expands into more and more areas of private and business activity, the power to corrupt likewise affords the corrupter more control over matters affecting the everyday life of each citizen."

Assistant Attorney General Vinson has gone even further: ". . . where organized crime flourishes, you can be assured there is some corruption. I think that is really the pervasive danger of organized crime. That is, its effect on law enforcement and the local power structure."

And he went on to admit that the Department of Justice "very occasionally" has information brought to its attention with respect to corruption in State and local agencies.

A war on organized crime is inseparable from a war on political corruption. In this fact may lie hidden the reason why it is so difficult for political leadership to wage a comprehensive war on organized crime—for to do so would be to risk severe political consequences.

A tacit alliance between organized crime and some local public officials has a far more devastating effect on society and the urban poor than merely permitting organized crime to practice its vices. In the broader sense corruption of local public officials inevitably results in a breakdown of public respect for authority.

In recent years—indeed recent weeks—much has been said about a deplorable loss of morality among segments of the urban poor in America's cities. But to whom are the people to look for standards of honesty and virtue if they cannot look to their local public officials? What is the lesson taught to today's young men and women when members of their local public community choose to cooperate with (or choose conveniently not to see) organized crime? Frederic Milton Thrasher, a noted social worker among urban youth groups of a generation ago, once described the process;

"When a noted criminal is caught, the fact is the principal topic of conversation among my boys. They and others lay wagers as to how long it will be before the criminal is free again, how long it will be before his pull gets him away from the law. The youngsters soon learn who are the politicians who can be depended upon to get offenders out of trouble, who are the dive-keepers who are protected. The increasing contempt for law is due to the corrupt alliance between crime and politics, protected vice, pull in the administration of justice, unemployment, and a general soreness against the world produced by these conditions."

When a "general soreness against the world" erupts into massive violence in America's cities there are many causes—but a principal catalyst is a disrespect for authority bred by corruption in public officials. The willingness of many more local and national public officials to be indifferent toward it inevitably feeds the sense of desperation of the urban poor.

THE JOHNSON ADMINISTRATION'S RECORD

It is to the credit of the Kennedy Administration that, despite the potential political consequences, in the early sixties a beginning

was made to a vigorous effort to fight organized crime. The Congress passed helpful legislation, much of which was drafted in the Eisenhower Administration. And under the approving eye of the Attorney General, the Organized Crime and Racketeering Section of the Criminal Division in the Department of Justice was steadily expanded and steadily expanded its efforts. These efforts resulted in a substantial number of cases brought to trial in 1963.

The record of the Johnson Administration speaks for itself:

1. *The President promised the 89th Congress legislation to fight organized crime, but no such legislation ever appeared.* In his 1965 message to the Congress on crime the President promised:

"I am calling on the Attorney General, the Secretary of the Treasury, and the other heads of the Federal law enforcement arms to enlarge their energetic effort against organized crime. The Department of Justice will submit legislative proposals to the Congress to strengthen and expand these efforts generally."

But the legislative proposals were never seen. In fact, during the Johnson Administration only two bills to help the fight against organized crime have been sponsored by the Administration. Both came in this Congress: the first related to immunity of witnesses; the second proposed to provide additional protection to a potential witness by making it a crime to threaten or coerce him. Both bills found their origin in legislation sponsored by former Attorney General Robert F. Kennedy.

2. *The number of man days in the field of personnel of the Organized Crime and Racketeering Section of the Justice Department has decreased by over 48% since 1964.* (During the same period FBI reports show that the national crime rate has increased by over 22%.) The investigative activities of the Section grew steadily under the Kennedy Administration to a high point of 6699 man days in the field by Section personnel in Fiscal 1964. The corresponding figure for Fiscal 1966 was 3480 man days in the field. And there was no significant change in the first eight months of Fiscal 1967.

3. *The number of man days before grand juries by personnel of the Organized Crime and Racketeering Section of the Justice Department has decreased by over 72% since 1963.* (During the same period FBI reports show that the national crime rate has increased by over 38%.) The efforts to secure indictments rose steadily under the Kennedy Administration to a high-point of 1353 man days before grand juries by Section personnel in Fiscal 1963. The corresponding figure for Fiscal 1966 was 373 man days before grand juries. And there was no significant change in the first eight months of Fiscal 1967. The figures are, of course, fully consistent with the corresponding decline in man days in the field.

4. *The number of man days in court by personnel of the Organized Crime and Racketeering Section of the Justice Department has decreased by over 56% since 1964.* (During the same period FBI reports show that the national crime rate has increased by over 22%.) The efforts to secure convictions rose steadily under the Kennedy Administration to a high-point of 1364 man days in court by Section personnel in Fiscal 1964. The corresponding figure for Fiscal 1966 was 606 man days in court. And the trend continued downward further in the first eight months of Fiscal 1967. These figures are, of course, fully consistent with the corresponding decline in man days in the field and before grand juries.

5. *The number of District Court briefs prepared or reviewed by the Organized Crime and Racketeering Section of the Justice Department has decreased by 83% since 1963.* (During the same period FBI reports show that the national crime rate has increased by over 38%.) This index of effort increased steadily under the Kennedy Administration to a high-point of 339 district court briefs prepared or reviewed in Fiscal 1963. The corresponding figure for Fiscal 1966 was 59 briefs prepared or reviewed. These figures are, of course, fully consistent with the corresponding decline in man days in the field, before grand juries, and in court.

(NOTE: We are aware that the Administration quotes ever-climbing numbers of indictments and convictions relating to organized crime. The record above belies these claims. The truth is that the indictment and conviction record claimed for the Organized Crime and Racketeering Section of the Justice Department includes cases relating to a broad number of areas over which the Section has "supervisory jurisdiction" but which have little or no relation to organized crime—such as violations of the Indian liquor laws, interstate liquor traffic laws, the criminal provisions of the Taft-Hartley Act, etc. In other words, the Section "maintains supervisory jurisdiction over statutory violations involving areas *often related to* organized crime activity . . . In this way, the Organized Crime and Racketeering Section is able to insure uniform standards even though *many of the cases do not involve organized criminal groups.*" The quote is from 1967 Congressional testimony by Assistant Attorney General Vinson and it's tantamount to an admission that the statistics on indictments and convictions under the Organized Crime and Racketeering Section are meaningless as a measure of the Administration's fight against organized crime.

(It is true that there has been a recent increase in Section personnel after a severe cut took place when the Johnson Administration came to power. The question should never be how many men are there, but what are they doing. The per-capita effort and performance of Section personnel—compared to the Kennedy Administration—would make the downward trend cited above even more apparent and alarming.)

6. *The National Crime Commission was influenced to reverse an earlier recommendation for wiretap legislation at the urging of Attorney General Clark, former Attorney General Katzenbach, and Leon Jawarski, a Texas attorney.* When the President's Commission on Law Enforcement and Administration of Justice was first appointed, no plans existed to consider organized crime. After objections it was agreed to treat the subject, but the effort was given a minimal budget: In November 1966, the full Commission met and agreed to recommend that Congress authorize wiretapping and eavesdropping by Federal law enforcement officers under strict safeguards and only with court approval. A majority of Commission members endorsed the view that the use of wiretap and eavesdrop devices was necessary in the fight against organized crime. Only two members of the nineteen man Commission voted to drop the eavesdrop recommendation. At a subsequent meeting on December 30, 1966, the Commission voted to replace its earlier recommendation with one which simply recommended that Congress consider new eavesdrop legislation without suggesting what its substance should be. The vote came after long sessions at which a Commission member, Leon Jawarski, a Texas attorney, who had not been at the earlier session, warned that, if the earlier recommendations were not dropped, he would file dissenting views alleging that the Commission had acted without sufficient facts. Attorney General Clark had opposed the Commission's recommendation adopted in November. Former Attorney General Katzenbach, who was Chairman of the Commission, argued for the change at the December meeting.

7. *Organized crime would be a principal beneficiary of President Johnson's bill to abolish all use of wiretap and eavesdrop devices except in national security cases.* In his 1967 State of the Union Message, the President proposed legislation to ban all use of wiretapping and eavesdropping by anybody except in national security cases under his direction. The bill would place the President under *no* scrutiny in his use of eavesdropping devices in national security cases—a questionable feature from a civil liberties perspective. But it would prohibit all use of eavesdropping equipment to fight organized crime. It would bar Federal officials from its use, and it would make void all State laws which permit law enforcement personnel under court order thus to seek evidence against or information about organized crime. It would rule out any law, for example, such as New York State has had for many years, to permit eavesdropping by authorized law enforcement personnel under court control. (The United States Supreme Court recently struck down the New York law as lacking sufficiently stringent controls, but it strongly implied that permissive Federal or State wiretap laws would be constitutional if adequate safeguards were built into them. The States affected by this ruling are already attempting to rewrite their laws in light of the court's decision; but all such laws would be voided by passage of the President's legislation.)

Attention to the right of personal privacy requires restrictive legislation to prevent abuse in the use of wiretap and eavesdrop devices. But it appears an indisputable fact that the one really valuable tool of law enforcement against organized crime is the eavesdropping device. Nonetheless, the Administration insists it is of no real value at all. Attorney General Clark has said: ". . . in fact there are only a small proportion of all crimes where it could be utilized at all, and as to these it would not be a significant investigative device."

Assistant Attorney General Vinson, on the other hand, when asked what the principal problem was in the Justice Department's efforts against organized crime replied: "Evidentiary problems, basically."

According to the *New York Times*, James Gale, in charge of the FBI's efforts against organized crime, says that wiretapping and eavesdropping are useful investigative tools.

According to the *New York Times*, Cartha D. DeLoach, Assistant to The Director of the FBI, says that the Bureau would be handicapped in fighting organized crime unless eavesdropping was legalized.

Frank Hogan, the District Attorney of New York, told the President's Crime Commission that electronic surveillance is:

"The single most valuable weapon in law enforcement's fight against organized crime . . . It has permitted us to undertake major investigations of organized crime. Without it, and I confine myself to top figures in the underworld, my own office could not have convicted Charles 'Lucky' Luciano, Jimmy Hines, Louis 'Lepke' Buchalter, Jacob 'Gurrah' Shapiro, Joseph 'Socks' Lanza, George Scalise, Frank Erickson, John 'Dio' Dioguardi, and Frank Carbo . . ."

The President's Crime Commission obviously agreed with Mr. Hogan.

Mr. William A. Kolar, Director of the Intelligence Division of Internal Revenue, says:

"As an investigator, I think the tool would be valuable, the ability to wiretap under let's say, strict supervision. And I say strict supervision. There is no question that it yields valuable information."

Professor G. Robert Blakey of the Law School of Notre Dame University was formerly a special prosecutor in the Organized Crime and Racketeering Section of the Justice Department and more recently a special consultant to the President's Crime Commission. In recent testimony before the Senate Judiciary Committee, Professor Blakey cited in detail publicly reported FBI summaries (airtels) of information gathered on organized crime figures in the New England area through the use of electronic surveillance. He concluded:

"From August 1960 until June 1964, I was

a special prosecutor in the Organized Crime and Racketeering Section of the Department of Justice. Nothing in the routine reports that I read from any federal agency contained data of this quantity or quality. Apparently, the Federal Bureau of Investigation was not then making electronically obtained data directly available to Departmental attorneys. I read, of course, general intelligence reports, but these seldom were on the concrete level of these airtels, and they could not be used for prosecution or investigation purposes. The investigation reports I read were the product of the use of normal investigative methods. There is just simply no comparison in the two kinds of reports. In light of this, I find it nothing short of incredible that Mr. Clark and others would seriously suggest that the use of electronic surveillance techniques is 'neither effective nor highly productive'."

Perhaps the latest official to dispute the Attorney General's position on the value of wiretap is William O. Bittman, who was the successful government prosecutor in its cases against Jimmy Hoffa and Bobby Baker. Now in private practice, Bittman, as quoted in the New York Times, cited the controversy over FBI bugging of Las Vegas gambling figures to document his case:

"In Las Vegas, the Government learned from bugging the amount of money that was being skimmed, who was doing the skimming, how the skimming was done, who the couriers were that were delivering the money around the country, when they were leaving and who was going to receive the money.

"How can you say this was no help to law enforcement?"

If the case for the President's legislation to ban wiretapping rests on civil liberties arguments, why would it permit use of bugging at his discretion with absolutely no checks by the courts or anybody else? If the case for the President's legislation to ban wiretapping rests on its lack of value to investigating authorities, why does almost every law enforcement official disagree with him?

8. *In his 1967 message to the Congress on crime, the President ignored almost every single recommendation on organized crime made by his National Advisory Commission on Law Enforcement and Administration of Justice.*

The record of the Johnson Administration on organized crime is also cited by the President's own Crime Commission itself in a little-noticed and delicately-worded passage:

"In 1961, the OCR Section expanded its organized crime program to unprecedented proportions. In the next 3 years, regular intelligence reports were secured from 26 separate Federal agencies, the number of attorneys was nearly quadrupled, and convictions increased. Indicative of the cooperation during this enforcement effort was the pooling of information from several Federal agencies for investigative leads in income tax cases. Over 60% of the convictions secured between 1961 and July 1965 resulted from tax investigations conducted by the Internal Revenue Service. Several high-level members of organized crime families in New York City were convicted through the efforts of the Federal Bureau of Narcotics.

"The FBI was responsible for convictions of organized crime figures in New York City, Chicago, and elsewhere. Enactment of statutes giving the FBI jurisdiction in interstate gambling cases resulted in disruption, by investigation and prosecution, of major interstate gambling operations, including 'lay-off' betting, which is essential to the success of local gambling businesses.

'In 1965, a number of factors slowed the momentum of the organized crime drive. A Senate committee uncovered a few isolated instances of wiretapping and electronic surveillance by Treasury Department agents, and some officials began to question whether special emphasis upon organized crime in tax enforcement was appropriate or fair. The Department of Justice was accused of extensively using illegal electronic surveillance in investigations of racketeer-influence in Las Vegas casinos. Federal prosecutors in some large cities demanded independence from OCR Section attorneys and prosecutive policies. Attacks appeared in the press on the intensity and tactics of the Federal investigative and prosecutive efforts. A high rate of turnover among OCR Section attorneys meant discontinuity of effort and reduced personnel by nearly 25%.

"This combination of adverse circumstances apparently led the OCR Section to believe that it could no longer expect the high degree of cooperation it had received from some Federal investigative agencies, and the intensity of its efforts diminished."

The President's own Crime Commission has thus cited the cutback in the war on organized crime. It begs the question, however, to point to the high turnover of personnel in the Organized Crime and Racketeering Section of the Justice Department as a cause of slackened effort. The reverse is undoubtedly true—the high turnover rate probably results from low morale on the part of personnel who feel the Administration has tied their hands. Similarly, it begs the question to put the blame for diminished efforts against organized crime on legal questions over the use of wiretap and eavesdropping devices. After all, it is the Administration which has led the fight to ban their use.

That is the record. It speaks for itself—loud and clear.

RECOMMENDATIONS

The following recommendations are in large part based on the work of the President's own National Commission on Law Enforcement and Administration of Justice, whose work the Administration has apparently chosen to ignore.

1. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "the staff of the Organized Crime and Racketeering Section (of the Criminal Division of the Justice Department) should be greatly increased, and the section should have final authority for decision-making in its relationship with U.S. Attorneys on organized crime cases."

2. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "the Department of Justice should give financial assistance to encourage the development of efficient systems of regional intelligence gathering, collection and dissemination. By financial assistance and provisions of security clearance, the Department should also sponsor and encourage research by the many relevant disciplines regarding the nature, development, activities, and organizations of these special criminal groups."

3. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "Congress . . . should abolish the rigid two-witness and direct-evidence rules in perjury prosecutions, but retain the requirement of proving an intentional false statement."

4. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "Federal . . . legislation should be enacted to provide for extended prison terms where the evidence, pre-sentence report, or sentence hearings shows that a felony was committed as part of a continuing illegal business in which the convicted offender occupied a supervisory or other management position."

5. We recommend, as the National Crime Commission recommended to the President but the President ignored, that "the Federal government should establish residential facilities for the protection of witnesses desiring such assistance during the pendency of organized crime litigation."

6. We recommend in depth Congressional study of the National Crime Commission's recommendation that, under appropriate conditions to safeguard personal liberties, "the Federal government should create a central computerized office into which each Federal agency would feed all of its organized crime intelligence." While centralized collection of such data would be a valuable tool for law enforcement, we believe it should be preceded by the most careful analysis of what information would be filed, who would have access to it and under what conditions.

7. We recommend, as the National Crime Commission and the Republican Task Force on Crime have recommended, that "a permanent joint congressional committee on organized crime should be created."

8. We recommend, as the President has, passage of legislation to extend Federal immunity provisions to crimes relating to organized crime and to "make it a Federal crime to coerce or threaten a person who is willing to give vital information" before a grand jury convened to hear an organized crime investigation.

9. We recommend, as the National Crime Commission originally recommended but was subsequently influenced to change its mind, passage of Federal legislation which would prohibit the use of all wiretap and eavesdrop devices by the Federal government except in cases specifically requested by the Attorney General and approved by court order. This is essentially the position advocated by most law enforcement officials; it is the position of the House Republican Task Force on Crime; it is the position of Senator Robert Kennedy, a former Attorney General. The preservation of personal liberties requires stringent legislation to limit carefully the use of listening devices; but there also can be little doubt that the price paid by the urban poor of our society would justify the court-controlled use by law enforcement officials of electronic surveillance devices to combat the activities of organized crime. Some means of electronic surveillance is particularly important as a law enforcement tool in organized crimes cases because in this area the unwillingness of potential witnesses to talk is very great. The newspapers are replete with stories of violence visited upon those who have told or are about to tell the inside story of organized crime operations. As Assistant Attorney General Vinson says, the basic problem is "evidentiary." His description of the difficulty with witnesses is testimony to the need for the use of carefully controlled electronic surveillance:

"Where we do have a willing witness, we furnish protection to the best of our abilities. We relocate them in other parts of the country, or sometimes outside the country, and establish new identities for them. It is always an ad hoc proposition. Who is going to protect them? How do we get them a job someplace else, where they cannot have references, where you cannot make inquiries at home base? And within the last year we have started working toward a more permanent solution to this sort of problem.

"We are exploring now with the Department of Defense setting up facilities in about four parts of the country where we can put these people pending trial, during trial, and where we can put assistant U.S. attorneys whose lives or whose families have been threatened."

10. We recommend, as the Republican Task Force on Crime has recommended, passage of two anti-trust bills designed to curtail organized crime. The first would prohibit the investment of funds illegally acquired from specified criminal activities in a legitimate business concern. The second would prohibit the investment in such concerns of funds legally acquired but deliberately unreported for Federal income tax purposes.

11. We recommend that the Organized Crime and Racketeering Section of the Crim-

inal Division of the Justice Department be raised in stature to Division level where its director's appointment would be subject to Senate confirmation, its budget would be specified in Federal publications, and its operations would be more open to Congressional scrutiny.

12. We recommend that a total of $100,000,000 per year be authorized and appropriated for the Federal government to undertake a meaningful and sincere effort to combat organized criminal activity in the United States and its impact on the urban poor. This would represent a four-fold increase over current figures. It would assume a four-fold increase in the Federal personnel assigned to the job. It would assume that overall direction of all Federal efforts to combat organized crime would be centralized in one Division of the Justice Department. It would assume that for the first time the Federal government would launch a determined effort to crack the circles of organized crime wide open. It seems a small price to pay when one remembers that the total Administration request for the War on Poverty in Fiscal 1968 is over twenty times as great—and that the War on Poverty cannot succeed with continued indifference and apathy toward the unrelenting efforts of organized crime to squeeze every available nickel out of the urban poor.

SUMMARY

There are four principal reasons for a new and real Federal war on organized crime. It could help the urban poor. It could help lower all crime rates. It could help limit political corruption in the cities. It could provide an appropriate example of incorruptible leadership at the national level.

There are many causes for poverty in the United States—inadequate education, unequal opportunity, the cycle of urban despair. It would be wrong to suggest that a war on organized crime can be substituted for the War on Poverty. But it would be equally wrong to imply that the War on Poverty could be won if no battle is ever waged against organized crime.

The seduction of the poor by the manifold vices of organized crime is a basic cause for much of the petty crime and street violence of modern America. The drug pusher, the prostitute, the petty thief, the mugger, more often than not, may be victims themselves of their desperation for money to meet the demands organized crime makes of them. An attack on organized crime is inseparable from an attack on street crime.

Organized crime cannot flourish without the knowledge and at least tacit agreement of some public officials. An attack on organized crime is an attack on political corruption.

By its indifference to organized crime the Administration is writing an unfortunate record for those who look to public officials for standards of conduct beyond reproach. Can we really expect to end corruption at the local level when the national leadership seems unconcerned about it? Mr. Justice Brandeis once wrote: "Our government is the potent, omnipresent teacher. For good or for ill it teaches the whole people by its example."

BILL WOULD PROVIDE TRANSPORTATION AND PORTION OF ROOM AND BOARD FOR GI VISITS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. LONG] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LONG of Maryland. Mr. Speaker, the Catholic War Veterans' Douglas MacArthur Post of Landover Hills, Md., is saying "thank you" to our men who have fought in Vietnam. For more than a year, this Catholic War Veterans' post has been sponsoring social and sports events for marines wounded in Vietnam and recuperating at the Bethesda Naval Hospital.

Last month, I attended Operation Appreciation's 27th event, a party for 120 marines at the West Lanham Hills firehouse. There, I spoke to a badly mutilated young marine who had been hospitalized at Bethesda for 2 years and had received only one visit from his family in Boston. Others spoke of the bitterness and discouragement of those whose lonely hours were unrelieved by visits from parents or wives.

Many of our young GI's come from families who cannot afford the transportation, room, and board expenses of periodic hospital visits, especially if the hospital is a long distance from home. I plan to introduce a bill to finance trips of needy relatives to servicemen wounded in Vietnam and hospitalized in this country far from their homes. Vietnam war casualties hospitalized in the continental United States grew from 1,742 on July 31, 1966, to 3,297 at the end of last June. With 32,132 men wounded during the first half of this year, the number of those hospitalized in this country will also rise significantly.

My bill would provide transportation and some portion of room and board costs for six visits a year by the two closest relatives. The Red Cross would certify the financial need.

Private hospitality and recreation programs, such as the one sponsored by the CWV, are doing much to express the appreciation of a grateful public. There should be more of these programs. But there is no better morale-booster than a family visit.

I ask unanimous consent to insert in the RECORD two articles from the Prince Georges County News and the Washington Star to bring the CWV's Operation Appreciation to the attention of my colleagues.

[From the Prince Georges County News, Aug. 3, 1967]

LANHAM CELEBRATION: THE MARINES LANDED, THIS TIME FOR FUN

(By Phyllis O'Neil)

There was a party and what a party.

Fifty attractive women marines chatted across tables, hostesses scurried about checking on last minute details inside West Lanham Hills firehouse, and others waited outside for the guests.

The Carrolltones drum and bugle corps signaled harmoniously that the guests had arrived. Indeed they had, three bus loads of them, 120 wounded marines, veterans of Vietnam now patients at the Bethesda Naval Hospital.

Out of the buses they came, some on crutches, some carried on stretchers, some with bandages, but all smiling. These wounded men were going to a party and they were ready.

Invited dignitaries, among the 400 persons who attended, welcomed the men and eventually everyone made their way to the room at the top of the firehouse. The fire company's Dalmatian dog greeted the men as they entered. The hall—although sparsely decorated—lacked nothing for a great party.

The deafening strains of the rock 'n roll band, "The Unknown Kind" of Seabrook, prompted gyrations and a sense of rhythm in practically everyone. Almost instantly the sporadic dancing gave way to a packed floor. Those on crutches, in casts or those confined to chairs kept the beat.

There was no end to the food or drink. Nor was there an end to the smiles.

As the pulsating beat grew, the honored guest arrived—Lt. Gen. Lewis Walt, until recently commander of all marines in Vietnam; "Big Lew" as some of the men called him, the man with the sparkling pale blue eyes and the infectious broad grin.

The party was the baby of the Douglas MacArthur Post Catholic War Veterans of America called "Operation Appreciation." The party was the 27th event arranged by the Catholic War Veterans Operation Appreciation program in the past 13½ months for Vietnam Veterans at Bethesda Naval Hospital.

James E. Merna of New Carrollton, chairman of the party, decided after awhile that it was time for speeches. The tempo had caught on and everyone was swinging. Quiet finally was obtained by yelling "attention" in the microphone.

Reps. Hervey G. Machen and Charles McC. Mathias and State Sen. Fred L. Wineland began the praise for the marines. Rep. Clarence D. Long, Baltimore County Democrat, and Mrs. Long arrived a little late, they had just come from visiting their son at Walter Reed Army Hospital, where he is a patient after being wounded in Vietnam.

Rep. Long began his emotion packed address by saying, "I'm proud that you men believe in fighting for America."

He continued, "If we get out of Vietnam, our troubles will be just beginning." The men approved with thunderous applause.

We would rather fight 12,000 miles away than on the shores of the continental United States, Long remarked. With this, the marines cheered, whistled, applauded and gave the "thumbs-up."

Then Gen. Walt, the marines' marine, stepped to the mike. There was no mistake that he was the man of the hour. It was obvious that every man there would have risked his life again for his country and for "Big Lew". Mrs. Walt stood by the general's side as he welcomed his men, for he had commanded most of the 120 men in battles near the demilitarized zone.

The general began: "It's great to see you again. We are continuing to win the war—we are making headway every day and night."

Gen. Walt offered special praise for "the unsung heroes on the battlefield," the medical corpsman. Walt said he had pinned more than 15,000 purple hearts on the men in Vietnam and he heard over and over, "If Doc hadn't been there, I wouldn't be here now." As the cheers went up, a medical corpsman stood nearby with a broad smile and a nod of approval. Gen. Walt said the job "has got to be done" and that he would like to go back. He said the men in Vietnam must have the patience and the backing of those back home.

As the general and his wife stepped from the stage, a chant began—"We want Walt—We want Walt."

"Big Lew" continued, with praise for the Seabees. "God Bless them," he said. "I pinned 72 purple hearts on them in a single day."

James F. McCarthy, post commander, presented the general with a certificate of recognition—"For the love of his country, leadership and dedication." He also was presented an honorary life membership in the post.

The music and festivities continued and a large cake waited for the cutting. The red, white and blue decorations fit the occasion. Large red rosettes bordered the cake and standing in each was a tiny American flag.

Prince Georges County Commissioner Francis J. Aluisi his voice with noticeable feeling, said, "I feel grateful that there are

still people who recognize the efforts of our men who fight and give their lives for the ways of our government. People like Jim Merna who have the guts to recognize the same deserve a lot of credit."

His reference was to James Merna, chairman of the Operation Appreciation party.

Posters on the walls clearly summed up the celebration. "Thanks Vietnam Vets for a job well done."

[From the Washington Star, July 27, 1967]

VIETNAM CASUALTIES: MARINES TASTE HOSPITALITY

(By John Gregory)

They came to the party by bus last night—nearly 120 Marines—on stretchers, crutches, in wheelchairs.

The Bethesda Naval Hospital patients, all Vietnam casualties, were greeted at the West Lanham Hills, Md., firehouse by a drum and bugle band, area members of Congress and—women.

At first, it was just another party. Outside, there were the handshakes and brief how-do-you-do encounters with the girls, the 50 women Marines recruited as hostesses for the four-hour affair, sponsored by the Landover Hills chapter of the Catholic War Veterans.

The Marines were helped upstairs—one's leg cast breaking a window as he was lifted around a corner.

GENERAL WALT ON SCENE

At the top of the stairs were the drinks, a rock 'n roll band and Lt. Gen. Lewis Walt, the man just back from Vietnam who had commanded most of the 120 men in battles near the demilitarized zone.

The mingling began, while patients described their maneuvers in combat to the ladies over the sound of the band.

Walt signed autographs on napkins or any other paper scraps that the men could find. Marines on crutches danced while those on stretchers frugged with their hands.

The music stopped and the speeches began. Applause and thumbs-up approval from the audience followed praise for the Marines by Maryland Reps. Hervey G. Machen, Democrat, Charles Mathias, a Republican, and Clarence D. Long, a Baltimore Democrat.

"I'm proud that you men believe in fighting for America," said Long, whose son is a patient at Walter Reed Army Medical Center for wounds suffered as an Army paratrooper in Vietnam.

There were cheers and whistles for other speakers, and thumbs-up for the brewery which supplied the evening's refreshments.

But the loudest applause went to Walt, who left the Vietnam command in June to become director of personnel at Marine Corps Headquarters.

"We're making headway in Vietnam every day," he said. "As long as we have the patience and backing here at home, there is no reason why we can't win."

He left the stage to the chant, "We want Walt," and one Marine broke into tears.

The music and festivities continued..

A 20-year-old corporal from Falls Church, restricted from the dance floor by the cast on his leg, said: "I'm going over there (Vietnam) again the first chance I get. I'm not serving much purpose by being in a hospital.

"Some of the men in the hospital are a little bitter and discouraged," said the corporal, John R. Lucas of 2821 Mankin Walk. "These are the ones who have lost their legs or don't have many visitors at Bethesda."

Gen. Walt said he could not detect any discouragement last night. "The spirit of these patients is tremendous, just as it is over there in Vietnam."

Over here, in the fire station, 120 Marines shook to the beat of the music as if they were in full agreement.

HYDROELECTRIC LICENSES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. STAGGERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I am today introducing a bill to amend part I of the Federal Power Act to provide congressional guidance to the Federal Power Commission in the processing of expiring hydroelectric licenses and to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project upon the expiration of any license shall be exercised.

I enclose at this point, a copy of letter of transmittal to the Speaker from Chairman Lee C. White, of the Federal Power Commission, of the draft of the bill; which letter outlines the significance of the matter being covered and the importance of developing proper procedures in the electric utility field for adequately carrying out the will of the Congress as to these hydroelectric licenses.

The letter follows:

FEDERAL POWER COMMISSION,
Washington, D.C., August 28, 1967.

Hon. JOHN W. MCCORMACK,
Speaker of the House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: We transmit herewith twenty copies of a draft bill to amend Part I of the Federal Power Act. The proposed amendments would provide Congressional guidance to the Commission in the processing of expiring hydroelectric licenses.

Prior to 1920, hydropower licenses were issued by individual Acts of Congress. Then Congress delegated to the Federal Power Commission the responsibility to license individual projects, other than those owned by the Federal Government, or to recommend Federal development to the Congress. The Congress limited the maximum term of any license issued by the Federal Power Commission to fifty years and thereby preserved for the Nation, acting through subsequent Congresses, a full opportunity to reevaluate the best use of each project upon expiration of the license. We now recommend that Congress fix appropriate procedures for the reevaluation of each project in light of contemporary and prospective public needs.

Under our present procedures, the Commission will refer to the Congress each project which is subject to the Federal take-over provisions of section 14 of the Federal Power Act. The draft bill would assign to the Federal Power Commission the primary responsibility for sorting out the licensed projects. It would relieve the Congress of the necessity of reviewing each individual project where Federal ownership was not recommended (although Congress could, of course, act on its own motion in any case) and would direct the Commission to undertake relicensing, for a term not to exceed fifty years, in all cases in which the Commission did not recommend recapture. We believe such legislation would strengthen the ability of the Commission and the Congress to best exercise the responsibilities imposed by sections 14 and 15 of the Act.

THE PRESENT PROCEDURE

Sections 14 and 15 of the Federal Power Act (16 U.S.C. 807, 808) provide for "recapture" by the United States of licensed hydroelectric projects or, in the alternative, for relicensing to the original licensee or to a new licensee. Projects owned by a state or a municipality[1] are exempt from recapture but not from relicensing. (Act of August 15, 1953, 67 Stat. 587, 16 U.S.C. 828b.) The decision to recapture must be made by Congress. If Congress recaptures a project, the licensee must be paid the "net investment of the licensee in the project or projects taken" within the meaning of the Federal Power Act (but in any event not more than the "fair value of the property taken") plus reasonable severance damages, if any, to the remaining electric facilities of the licensee. If Congress does not act before the expiration of the initial license, the Commission may issue a new license, but the Act does not expressly state the appropriate steps to be taken if the Congress has not expressed its intentions as to a given project. If the Congress has expressed its decision and the Commission does not issue a new license, the Act directs the Commission to issue a year-to-year license to the original licensee until the project is recaptured or relicensed. The Commission strongly believes that it should not relicense projects on a long-term basis until the Congress has made known its decision either through enactments concerning specific projects or through general legislation such as we propose today.

Under the present procedure, the recapture and relicensing determinations involve a three-fold process:

1. *Notice, Review and Recommendations to Congress.* At the outset, the Commission informs the Congress and the public of all projects whose licenses will expire during the succeeding five years through notice given in the Commission's Annual Reports[2] to the Congress and in the Federal Register. This notice provides the following information: License expiration date; licensee's name; project number; type of principal project works licensed; location; and installed capacity. Starting five years before the license expiration date, the Commission undertakes a review of each project. As part of this review, the Commission solicits both the views of the licensee concerning its plans for future development and use of the project and the views on recapture and relicensing of Federal and State agencies which might have an interest in the recapture of the project. On the basis of information received and Commission staff studies, the Commission formulates its recommendations to the Congress and also transmits the views submitted to it by the licensee and by the interested Federal agencies. As the Commission noted in its letter of February 23, 1967 recommending against recapture of Project No. 2221 (the Ozark Beach Project of The Empire District Electric Company), this procedure does not give the Commission "the benefit of a relicensing proceeding, involving formal proposals and counter-proposals by the licensee, our staff, intervenors or others who might apply for a new license. New criteria or information uncovered in the course of such a proceeding might warrant further consideration of the recommendation reached" in the initial report. The Commission's procedure adopted in 1964 undertook to report to the Congress two years prior to the license expiration date. The Commission has fallen slightly behind in its time table in the cases of Project No. 2221

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[1] As used in the Federal Power Act "municipality" means a city, county, irrigation district, drainage district, or other political subdivison or agency of a State competent under the laws thereof to carry on the business of developing, transmitting, utilizing, or distributing power. (16 U.S.C. 796 (7)).

[2] E.g., see FPC 46th Annual Report, 1966, at pp. 68–71. Licenses for 58 projects subject to recapture will expire during the calendar years 1967 through 1972.

and Project No. 619 (the Bucks Creek Project of Pacific Gas and Electric Company).

2. *Recapture Determination.* After the Congress receives the Commission's recommendations (or at an earlier time if the Congress so decides), the Legislative Branch must decide whether to adopt legislation to recapture a given project. Although there is no presently prescribed procedure, we assume each such matter will be the subject of legislation either on an individual or omnibus basis.

3. *Relicensing.* In those cases where Congress foregoes its right to recapture a project, relicensing procedures must be undertaken by the Commission. Relicensing would involve public notice to all interested parties, an opportunity for the original licensee and others to seek a license, an opportunity for interested state and Federal agencies to review project performance and capabilities and to recommend changes, an opportunity for such agencies and for members of the public to intervene in formal relicensing proceedings, and opportunities for formal hearings, oral argument, and judicial review of the Commission's relicensing order. Upon relicensing the Commission would not only select which applicant was to receive the license; it would also determine the conditions upon which a new license should be issued and the term of years (not to exceed 50) for which the new license should stand. The existing provisions of the Federal Power Act assign the Commission the same powers to condition new licenses issued under section 15 as it has to condition original licenses issued under section 4.

Under section 7(a) of the Federal Power Act the Commission is instructed to give preference to applications by states and municipalities in issuing licenses to new licensees under section 15. Our General Counsel has advised us that this preference applies only after it has been determined that the original licensee should not receive a new license. In those instances where the original licensee and another applicant seek a new license for the same project, the Commission believes that the new license is to be issued to whichever applicant can best meet the standards of the Act. In those rare cases where the two applicants are equally matched the Commission believes that the new license should be issued to the original licensee so long as he can meet the standards of the Act at least as well as the other applicant.

Section 15 expressly provides that in issuing a new license either to the original licensee or a new licensee the Commission may impose "such terms and conditions as may be authorized or required" under the laws and regulations in existence at the time it issues the new license. If the new license is issued to a new licensee it must be conditioned upon payment to the original licensee of the same recapture price as the United States would have had to pay had Congress decided to recapture.

THE PROBLEM

The fundamental choices upon license termination fall into these categories:

(1) Where the United States has an interest which it will want to express either by recapture or by conditions in the relicense. This interest may arise out of the federal power marketing program, but more probably out of other water use programs, such as irrigation, fish, recreation, pollution control or domestic and industrial use.

(2) Where the United States is not interested and the licensee desires a relicense, but a state or local agency or private party has an interest which it will want to express either by contesting for the new license or by conditions in the relicense. The interest in question may be either essentially in power use or in non-power use.

(3) Where the licensee wants to abandon a project, but the public interest requires that it be maintained in whole or in part for non-power purposes.

(4) Where the United States, the licensee or any other potential licensee is not interested in the continued existence of the project.

The present three-fold procedure seems inadequate to secure the maximum advantages from the opportunities preserved by the Congress in 1920 for the present and future generations of Americans. This procedure does not facilitate systematic consideration of all the alternatives available and tends to diffuse the attentions of interested parties whereas a more concentrated procedure might be more effective in bringing to bear all the conflicting interests at a single point in time.

THE PROPOSAL

We propose that the Congress enact legislation which would:

a. Accept the standard of section 10(a) of the Federal Power Act favoring that project which "will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreational purposes". This statutory standard is understood to call for optimum development and accommodation, where a conflict arises, in terms of resource values including: water quality control; flood control; recreation and aesthetic considerations; fish and wildlife conservation and enhancement; protection of improvements along the reservoir shore line; drinking water and other domestic, municipal and industrial uses; irrigation requirements; optimum power development and coordination with other systems in light of regional power needs; hydraulic coordination with other projects on the stream; and navigation.

b. Direct the FPC, after suitable hearings and upon receiving advice as appropriate from Federal, State and interstate agencies, and from other interested parties, to make the initial determination in all recapture and relicensing cases. The proposal would limit the time within which Federal agencies must provide their advice and recommendations to the FPC, to avoid excessive delays.

c. Direct the FPC to forward to Congress, with its recommendations, all cases in which it has recommended Federal recapture. Where the FPC decides to relicense and other Federal agencies recommend recapture, the proposal would direct the FPC to stay the effect of its relicensing decision for a specified maximum time to allow those agencies to present their case to the Congress, and would further direct the FPC to notify Congress of all stays granted. We have included as a maximum stay period one full Congress immediately following the Congress during which the Commission issues a relicensing order. Alternative time periods, which the Congress may wish to consider, are a two-year period beginning on the last day of the calendar year in which the Commission issues the relicensing order, or a two-year period running from the date of such order. The latter period conforms to a similar two-year period now found in the further proviso of section 4(e) of the Act which requires the Commission to report to Congress whenever it finds that any Government dam may be advantageously used by the United States for public purposes in addition to navigation.

d. Authorize the FPC where it determines that an exclusively non-power use would best meet the standards of the Act to relicense a project which was initially subject to FPC jurisdiction to a non-power user. The non-power licensee would be required to pay the original licensee the same recapture price as the United States would have had to pay had it taken over the project. FPC would exercise regulatory supervision over the non-power licensee on a temporary basis, until a state, municipality, interstate or Federal agency assumed this regulatory jurisdiction.

e. Provide explicitly that the amortization reserves called for by section 10(d) of the Act would continue to accumulate without interruption, suspension or revaluation.

f. Authorize FPC, notwithstanding the provision of section 6 of the Act regarding alteration of licenses, to include as a condition to issuance of a new license under section 15, a broad authority to modify the license, consistent with the other provisions of the Act, as may reasonably be required, subject to the safeguards of adequate notice, opportunity for public hearing and judicial review. This added authority would extend the Commission's rulemaking powers to modify license conditions at any time during the license term, now limited under section 10(c) to matters relating to the protection of life, health and property, to matters relating to all license conditions. It is patterned after the broad conditioning authority of section 10(g) which now authorizes the Commission to include at the beginning of any license term "such other conditions not inconsistent with the provisions of this Act as the Commission may require."

g. Accept the present limitation of section 6 of the Act that the maximum license term is to be 50 years, with Commission discretion to prescribe lesser license terms. The Commission believes that a substantially shorter term may be appropriate where no extensive redevelopment outlay is needed. Moreover, it may prove desirable to relicense a series of related projects for varying terms so that the new licenses will expire simultaneously.

ALTERNATIVE CONSIDERED

We have considered as an alternative, assignment to other Federal agencies of the primary responsibility to recommend recapture to the Congress or to instruct the FPC to relicense subject to broad guidelines. The assignment might be made either to one executive department or to a group of agencies. We believe, however, that the issues upon license expiration involve statutory policy which would best be implemented by a specialized agency with a long tradition of semi-judicial proceedings under authority delegated by the Congress.

We have considered the possibility of spelling out detailed criteria governing the decisions and recommendations of the Commission but we have concluded that the more general standard now set out in section 10(a) comprehends all of the factors which we understand to be relevant and is more suitable to the changing need of resource conservation.

Finally we have considered establishing an additional preference for the original licensee to apply in cases where a rival applicant could slightly better achieve the objectives of the Act. We believe that all other things being equal, continuity in ownership and management is a value in itself which should be recognized and is to be recognized under the present statute. However, when another applicant demonstrates a superior ability to meet the Congressional objectives, in our view no preference should assure the position of the original licensee.

CONCLUSION

We believe that our proposal would serve the public interest and trust that consideration of the proposed measure will assist the Congress in its study of the appropriate disposition of projects licensed under the Federal Power Act after the end of the initial license term.

The Bureau of the Budget advises that enactment of the bill would be consistent with the Administration's objectives.

Respectfully,

LEE C. WHITE,
Chairman.

NEED FOR FURTHER IMMIGRATION REFORM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. OTTINGER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OTTINGER. Mr. Speaker, during the first session of the 89th Congress, I strongly supported H.R. 2580—the 1965 amendment to the Immigration and Nationality Act—which was eventually enacted as Public Law 89–236. One of the purposes of this legislation was to reunite thousands of our citizens with members of their families from whom they had been needlessly separated.

While to a certain degree some American citizens and resident aliens have been reunited with their families, my files are replete with situations where brothers and sisters have been separated for many years—in some cases, for 10 years or more. Almost all of them involve persons currently registered under the fifth-preference position of the quota for Italy.

At present, visas can only be issued to persons under the Italian fifth-preference position who have "priority dates" of March 1, 1955 or earlier. Over the past 6 months, the fifth-preference position has moved forward 2 months—from January 1, 1955 to March 1, 1955—and I have been informed that approximately 100,000 fifth-preference Italians are awaiting visa issuance. Based upon information made available to me by the Department of State, Italy is the only country experiencing such a tremendous backlog.

If the present system is maintained, Mr. Speaker, these people will not be able to join their families in this country for many, many years. Therefore, I am today introducing a bill to amend section 203(a)(5) of the Immigration and Nationality Act. This bill provides that any fifth-preference aliens—brothers and sisters of U.S. citizens and their spouses and children—whose visa petitions were filed prior to July 1, 1966, are deemed to be immediate relatives under the provisions of section 201(b) of the act.

Not only will this legislation alleviate the desperate situation in which fifth-preference Italians now find themselves, by placing them on an equal basis with other fifth-preference aliens, but will also remove the cruel and unnecessary hardship for many of our own citizens with relatives abroad and reinforce our policy of reuniting families.

Mr. Speaker, I commend my distinguished colleague and good friend, the gentleman from New York [Mr. RYAN], for taking the initiative in proposing this legislation and I urge that the Committee on the Judiciary give this measure its fullest and most careful consideration.

POVERTY

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. NIX] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. NIX. Mr. Speaker, in recent months the effectiveness and the worth of the war on poverty have been questioned. There are some who deplore the existence of poverty but wish to break up the Office of Economic Opportunity and shift certain antipoverty programs to other Government agencies. There are some who charge that the war on poverty has been a total failure, that it has not cured poverty, and that it has even been a factor in causing this summer's tragic riots in some of our cities. I rise today to discuss my belief that the war on poverty has been an exciting and effective program, and to affirm my support for the present administration bill extending the authorization and operations of the antipoverty program.

Every society has been confronted with the problem of poverty. Each society has tried to deal with it in different ways. The Romans gave bread and circuses to the poor of Rome. England tried the dole and debtors' prison. But in 1964 this Nation acknowledged that the existence of widespread poverty in our rich society was politically, economically, and morally wrong, and determined to eradicate poverty itself.

The Congress therefore declared this Nation's policy to be "To eliminate the paradox of poverty in the midst of plenty." To implement this ambitious policy, the Congress created the Office of Economic Opportunity, and charged it with the task of "opening to everyone the opportunity for education and training, the opportunity to work, and the opportunity to live in decency and dignity."

In declaring war on poverty, the Congress wisely rejected the counsel of these who urged that poverty could be cured by a single, simple program. Some argued that the key to eliminating poverty was to create jobs; others said that assuring every child a good education would eventually solve the problem. But it was recognized that there was not a simple panacea, that no single solution would bring the 30 million American poor into the rich society which was all around them. Instead, the Congress acknowledged what most Americans knew to be true: To be poor meant much more than just that you had no money. It also meant that you and your children probably got a second-rate education, that you were not trained for the skilled jobs which our technological economy had created, that your health care was inadequate, and that you were often denied simple justice because you did not have access to a lawyer. In other words, to be poor was to be denied most of the basic opportunities which other Americans took for granted. The OEO was therefore commissioned to proceed against poverty on many fronts simultaneously, and to involve itself with education, vocational training, health, justice, community development, and employment.

In addition to choosing to attack poverty as the many-faceted problem it is, the Congress in the Economic Opportunity Act made another basic policy decision. Instead of creating these different antipoverty programs and assigning them to existing Government agencies, the Congress established an independent agency, the Office of Economic Opportunity, and assigned to it the primary responsibility for initiating and administering these various antipoverty programs.

In retrospect, this decision has been justified. Only an independent agency could have been as innovative and single-minded in dealing with an old problem in so many new ways. only an independent agency could have spoken for the poor, the least influential of our national minorities, with a strong and single voice. The poor need this independent voice. But equally important, the Nation needs this independent voice to keep in front of it the terrible needs of the poor, and to remind its conscience that there is a large minority which has been excluded from the general prosperity. For these reasons, I urgently hope the Congress will reject any move to break up the OEO and to transfer its functions to other Government agencies.

Mr. Speaker, in evaluating the war on poverty, let us not forget that less than 3 years ago there was no war on poverty, and no Office of Economic Opportunity. There was no Project Headstart, no Job Corps centers, no community action programs. Since the Economic Opportunity Act became law, a staff was assembled at OEO; programs were drawn up; local agencies were set up and staffed; programs were initiated. It is particularly important to note that the entire antipoverty administrative machinery was created out of whole cloth.

In most States and cities, there were no existing institutions which could be used to administer these programs. On the national level, there was no experience in administering a broadly ranging antipoverty program which could be used to guide the OEO. If you will, the antipoverty program was like a new industry which came into being, hired employees, drew up plans, tooled up its plant, initiated production of a complex product, and began marketing this product, all in less than 3 years, and all with little useful precedent to use as a model.

Of course, as with any new and innovative program, there have been birth-pangs. I am sure that those who oppose the antipoverty program will offer the few administrative difficulties which the OEO encountered in initiating its new programs as reasons to curtain or abolish the program. But I am confident, Mr. Speaker, that every thoughtful Member will marvel, as I do, at the impressive job the OEO has done in implementing the commission of the Congress.

Because the war on poverty has proceeded on so many fronts simultaneously, it is impossible in a brief discussion to examine all of its programs in detail. But I believe the following will give us some of the flavor of the tremendous beginning which has been made.

The Job Corps was one of the most imaginative programs begun by the OEO. This program was designed to take the hard core poor youth, most of them

dropouts, and provide them with the education they missed and train them for jobs which are needed. The 69,312 young people who have so far been enrolled in Job Corps centers for varying lengths of time have been from the most poverty-stricken segment of our society. The profile of a typical Job Corps enrollee is an American tragedy. This enrollee has been asked to leave school or has dropped out on his own. He finished 8th grade but reads on a 4th-grade level. He comes from a broken home in an urban slum. Chances are good that his family is on relief. The Job Corps has taken this young American, and given him supplemental education and job training. More importantly, in many cases it has given him hope that his future need not be one of despair and hopelessness for a better life.

The Job Corps really is a human reclamation project, an attempt to help hard core young poor get the education and training they missed. Has this human reclamation been successful? The simple answer is "Yes." As of March 31, 1967, 36,900 of the 69,312 who have been enrolled have jobs; 6,800 are in school; 5,000 are in military service. This adds up to a 70-percent success rate with a group of the most disadvantaged young people in our country.

Another program which I and many other lawyers have followed with great interest is the legal services program. Our Nation was built on the principle that a government of law must be maintained to protect the rights of all. The poor have listened for years to talk about respect for the law, but in many cases the law has appeared to them to be their enemy rather than the protector of their rights. The poor had bruising experiences with the law, with unconscionable consumer contracts, wth unexplained evictions, with unjustified wage garnishments. In many cases, the poor did not have access to a lawyer, and therefore did not know their legal rights.

This deprivation mocked our society's contention that justice wears a blindfold. But the legal services program is correcting this situation; 1,200 neighborhood law offices have been created and staffed by full-time and volunteer attorneys, who are living proof to the poor that the law recognizes and protects the rights of all Americans, rich as well as poor.

Mr. Speaker, it would take hours to discuss the other programs of the war on poverty in detail. But the figures are available: 27,000 young people have been helped to fulfill their potential through the Upward Bound program; over 900,000 young people have participated in the Neighborhood Youth Corps, helping themselves and their communities; over 500,000 very young people have received a headstart; 6,500 VISTA volunteers have worked in our cities and rural areas; 1,050 community action agencies have helped the poor. No one will seriously suggest that the job is over. But an ambitious and a necessary beginning has been made.

Since the House Committee on Education and Labor began hearings on the antipoverty bill, tragic riots have occurred in some of our cities. Some have charged that these riots prove the ineffectiveness of the antipoverty program. No allegation could be more erroneous. One of the chief aims of the antipoverty program is to provide traditional lawful alternatives to violence. I do not doubt that many of the poor may have in past years questioned the effectiveness of democratic processes in helping them better their lives. Life has been imposed on them from above. But the antipoverty program offers hope to the poor. It affords training so that they can get good jobs; it helps correct educational deficiencies of their children; it provides a mechanism for equalizing opportunity and attacking all of the problems associated with poverty.

Some have charged that employees of the poverty program in some cities actually participated in the rioting.

I understand that in the 27 cities where serious disorders have occurred, only six antipoverty employees have been arrested in connection with the rioting. As of this date, none has been convicted. And in many of these cities, the antipoverty workers have courageously worked to help "cool" explosive situations. Neighborhood youth corpsmen have put on armbands and walked the streets quieting tense situations; legal services offices have stayed open around the clock to protect the rights of those arrested and to serve as liaison offices between the community and the city authorities; VISTA volunteers have moved in after the riots to help rebuild the shattered community. It is not an accident that the mayors of Newark and Detroit have both recently affirmed their support for the war on poverty.

Finally, Mr. Speaker, we have all heard ugly hints that the antipoverty program should not be extended because to extend it will appear to "reward" rioters. This argument is hardly worth of reply. This country sends wheat to India, not because we fear riots in New Delhi, but because it is morally right to share our bounty with those less fortunate.

By the same token, it is morally offensive in this year 1967 that so many Americans do not share in our Nation's incredible wealth. Helping the poor to help themselves through the antipoverty program is not a reward for rioting, but a moral imperative.

In conclusion, Mr. Speaker, I would ask all the Members to consider carefully the antipoverty bill that will soon be on our agenda. The last Congress declared that this Nation must eliminate poverty. The program selected to effect this policy was not a dole, not a giveaway program, but rather an intensive effort to create opportunity where none existed before. It was a program designed to enable the poor through their own personal and community efforts to join the majority of Americans in building a great society, where all could live in decency and dignity. Today we can look with pride on the beginnings of this program, and can truthfully say that an effective way has been found to help the poor of America to help themselves. I ask the Members to continue the war on poverty.

THE PUBLIC BROADCASTING ACT

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. PEPPER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, it will be a pleasure to lend my individual support and endorsement to the Public Broadcasting Act when it reaches the floor of the House in a few short legislative days.

I say this for several reasons.

First, the legislation embodies the full cooperation and past experience with a national network of noncommercial educational television stations throughout this country. It extends the operation of the Educational Television Facilities Act. This proposal, Public Law 87-447, has allowed many educational television stations to purchase equipment and facilities necessary to fulfill the promise and potential of educational television.

Now we add a new vista to the field of ETV.

The legislation we will soon consider includes radio as an eligible grantee for these facilities grants. Since noncommercial broadcasting should be distinguished from classroom or instructional television, the phrase "public broadcasting" has been used by the Carnegie Commission to denote this important field.

The phrase is a fortunate one for this legislation is clearly in the public interest.

One portion of the legislation will authorize the creation of a federally chartered nonprofit corporation for public broadcasting to help develop a workable system of interconnection between the educational television stations of this country.

This will mean much to local educational television stations plagued with a shortage of good programs because of chronic underfinancing. Stations on the west coast and in other parts of the Nation will be able to carry programs broadcast simultaneously in another part of the country. Or these programs could be broadcast later. Such a system, it is clear, will maintain the individual integrity and independence of local stations. They will be free to accept or reject programs either at the time they are broadcast or later.

The legislative proposal which will soon come before us carries with it an excellent opportunity for all of us to recognize the staggering importance of radio and television broadcasting in this country.

This body was far sighted in vision when it enacted Public Law 87-447, recognizing the need for facilities for educational television stations.

We have a strong foundation upon which the Public Broadcasting Act is based and we now will have a chance to prod and stimulate the natural resource of public broadcasting.

I hope that the House will lend its full support to this imaginative and highly

important proposal when it comes before us for consideration soon.

UNIVERSITY CONTRACTS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WILLIAM D. FORD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, today many of our U.S. colleges and universities—124, to be exact—are working in foreign aid under contract with the Agency for International Development. Their campuses extend, literally, throughout the developing world—into southern and eastern Asia, into numerous areas of Latin America and Africa.

Faculty members and specialists from these institutions apply their particular strengths, experience, and expertise to specific problems or needs in the developing countries. AID now seeks to draw on "outside," non-Federal Government resources wherever possible to carry out a particular development task, and the work of these colleges and universities is one result.

The dimensions of this program are very broad—for the assisted country, of course, but also for AID in the most efficient use of its resources, and for the U.S. educational institution and its faculty in broadening a two-way interchange of knowledge and attitudes with the people assisted.

The fields of endeavor are varied. Our universities do not just maintain insulated relationship with the academic communities of assisted countries, although much of the universities' overseas work involves developing schools and training of teachers. At least equally important are labors with government ministries, with private organizations. They cover a range of subjects as broad as the needs of these developing societies.

The current priority of the AID program—the war on hunger—is, of course, much in evidence. In agriculture, the colleges' work ranges from research into meeting the unique problems of the developing countries, to imparting the successful methods of our own agricultural experience. The concept of the American "county agent" bringing extension services directly to the people has long been utilized in these overseas development efforts.

The current total of AID contracts with U.S. colleges and universities is $228 million, portions of which are spent over periods of several years. In my own State of Michigan, Michigan State University has contracts totaling over $11,680,809 and the University of Michigan is involved in programs totaling over $1,694,823.

For this money, we are getting a good return. Teams from American schools are operating with one or more host institutions in 40 different selected countries. Other contracts for technical services, training, and research support development activities in entire regions or the program as a whole.

This is a solid program, the type of aid program we strive for. Its activities are tailored to the particular needs of the countries assisted. It involves direct communication of American ideas to the people of the developing countries. It utilizes the talents and practical experience of American college and university experts. I urge the support of my colleagues for this program which so richly deserves our encouragement.

THE GIRLS FROM VISTA

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MINK. Mr. Speaker, it was inevitable that the qualities of civic-mindedness encouraged by the Girl Scouts of America would find expression in the Volunteers in Service to America—VISTA—program. This story has now been told in the August issue of American Girl, the official publication of the Girl Scouts of America.

The magazine article, by Carol Botwin, is entitled "The Girls From VISTA." It shows how VISTA's success lies in the profound effect the program had had not only on the poor, but on the volunteers themselves. And it attests to the suitability of Girl Scout preparation to VISTA—one of the most modern and selfless opportunities for good citizenship

Miss Botwin's article deals specifically with former Girl Scouts who have become VISTA volunteers. She describes the experiences of five girls for whom "poverty is no longer a mass of statistics."

For example, Karen Metz, of Chittenango, N.Y., is using her Spanish language ability to help adults in the Southwest. Near Phoenix, Ariz., she helps people do simple math for the first time in their lives.

Patricia Shultz, who went after college graduation to Alaska to climb Mount McKinley, found irresistible the opportunity to work in a VISTA project in a small Eskimo fishing village on the Yukon River.

And 22-year-old Roschel Holland has opened a co-op in East Harlem where the residents of the area can buy food at prices they can afford.

Mr. Speaker, I include Carol Botwin's wonderful story of VISTA girls at work at this point in the RECORD:

THE GIRLS FROM VISTA

(By Carol Botwin)

It started with thirteen volunteers in 1965. Now V.I.S.T.A. (Volunteers in Service to America) can boast of close to four thousand dedicated people serving in slums and wildernesses, big cities and small towns all over the United States—wherever help is needed. Seventy-one percent of these are boys and girls under twenty-five. They teach the young; they help mental patients readjust; they try to find jobs for the unemployed. As any VISTA volunteer will proudly tell you, "We help people help themselves."

What are the requirements? You have to be at least eighteen and be ready to work for a year plus a six-week training period. When their stint is up, volunteers collect fifty dollars for each month of service. By then, they have learned to live on tiny allowances in slums. They have had daily contact with heartbreaking problems. As one girl says, "Poverty is no longer a mass of statistics."

Because VISTA needs people who have a desire to serve, a willingness to learn, and the ability to work well with others, many former Girl Scouts find they are very well prepared to be volunteers. Young women like Susan Deeter, who works with migrants in Girl Scout troops in Eagle Pass, Texas, find they already know how to initiate projects and take responsibility. The fact that the five girls who are pictured here are all former Girl Scouts is no accident—there are many of them in VISTA.

Penny Arndt and her VISTA roommate decided to give a party. Their guests: students from Louisiana State University in South Baton Rouge and children from a nearby "ghetto" elementary school. It launched the highly successful "Project Buddy." Now, Penny says their biggest problem is recruiting youngsters fast enough to keep pace with campus interest which has spread across town to the big Negro university. Coeds, who signed up, entertained their new young friends, took them on outings, went to movies, bought sodas—anything to fill in the gaps that no father and a working mother can create in a child's life. Penny hopes that soon students from both universities will be working together on this project.

Karen Metz of Chittenango, New York, had almost decided to join the Peace Corps when she realized there are many poverty areas in this country where she could use the Spanish she'd learned in school. Now she's helping adults to read and do simple math for the first time in their lives, in Elroy, outside of Phoenix, Arizona. "The elderly people in the group are terrific. They never miss a class," she says. Karen also is teaching children a second language—English. She enjoys taking them on field trips to zoos and museums trying to broaden their horizons.

After college graduation, Patricia Schultz went to Alaska to climb Mt. McKinley, heard about the local V.I.S.T.A. project, and ended up in a small Eskimo fishing village on the Yukon River. She and three other volunteers traveled by bush plane to the isolated community. Patricia persuaded local authorities to test the local water supply for purity and worked with residents to get an electric generator and fish freezer for the town. Traveling around on snowshoes, she met with housewives and encouraged them to use their local crafts as a new source of income. Villagers taught Pat the art of tanning and sewing fur.

There were no streetlights in Santa Rita, Colorado, a year ago. The main street wasn't paved. With the encouragement and help of V.I.S.T.A. volunteers like Karna Clark, nineteen, the men, women, teens, and children in the community joined hands to make their town a better, brighter place to live in. "There were a few pessimists who thought that the streetlights we installed wouldn't last a week with all the BB guns around, but the people here were not about to tear down something they all worked hard to get," says Karna.

On the first and fifteenth of every month, a tiny store in East Harlem opens its doors, and customers—all members of the 117th Street Parent Association—troop in with money from newly cashed pay and welfare checks. This co-op, where they can buy food at little more than wholesale price, is the

brainchild of twenty-two-year-old Roschel Holland. When it is open, Roschel gets up at six to go to the market with the Association's President. They buy stock based on previous orders. "We don't have any refrigeration so we try to sell everyting the same day." Brightening the walls are children's drawings—the results of the arts and crafts sessions that Roschel conducts there with neighborhood tots twice a week.

DEATH OF HENRY J. KAISER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Hawaii [Mrs. MINK] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. MINK. Mr. Speaker, last week death claimed one of Hawaii's most renowned adopted sons, the world-famous industrialist, Henry J. Kaiser. Although this giant among men did not come to our shores until 1954, he left an indelible mark on the face of our State with his restless energies and his boundless capacity for translating his dreams into immediate concrete realities. Starting with the construction of the magnificent Hawaiian Village Hotel, he turned his resources to the development of the $350 million Hawaii-Kai housing and resort development, and capped his contribution to our State with the $4 million Kaiser Foundation Hospital. A man whose achievements can be measured with such enduring and impressive monuments needs little else to mark his passing, but I would like to pay tribute to the exemplary and inspirational life of Henry J. Kaiser by setting forth his biography, the most eloquent testimonial to what he stood for that I can imagine. May others find encouragement and guidance in the inestimable success story that is the life of the man we mourn today, Henry J. Kaiser.

HENRY J. KAISER—1967 BIOGRAPHY

Henry J. (John) Kaiser was an industrialist with world-wide interests, a builder, and a founder of hospitals and a medical care program.

As an industrialist Henry Kaiser was chairman of the board of Kaiser Industries Corporation and head of the affiliated Kaiser Companies that have assets exceeding $2.7-billion in 33 states and more than 40 countries overseas.

As a builder he constructed roads, dams, tunnels, ships and a dozen industries in a half-century.

As the founder of a medical care program in the western United States, he worked with partnerships of physicians, built hospitals and clinics, established a nursing school and contributed to medical education.

Henry J. Kaiser was born on May 9, 1882 in a white frame farmhouse at Sprout Brook, New York, one of four children of Francis J. Kaiser, a shoemaker, and Mary Yops Kaiser, a practical nurse, both immigrants from Germany.

YOUNG KAISER BUILDS PHOTOGRAPHY BUSINESS

He left school at 13 to take a job at $1.50 a week as a cash boy in a drygoods store at Utica in upstate New York, and boosted his income by taking photographs after working hours. Despite lack of formal education, he always was learning. His restless, driving spirit was constantly seeking new ways of doing things. Later, the same drive challenged his managers, engineers, and other employees in daring projects and new ventures.

Young Henry Kaiser traveled as a photographic salesman in upper New York. At Lake Placid, New York, he offered a Mr. Brownell, owner of a photographic shop, to work for nothing on condition that if he doubled the business in a year, he would receive a half interest. He trebled the business, became a junior partner at 22, bought out the business a year later and added new stores at Daytona Beach and Miami, Florida, and Nassau. Outside his first store he placed a prophetic sign: "Meet the Man With a Smile".

BUILDING CAREER STARTS IN WEST

Deciding to stake his future with the West, he moved to Spokane, Washington, in 1906 and was hired by a hardware company, later becoming sales manager. He went into construction in 1912 as a salesman and manager of road paving contracts in Washington and British Columbia.

It was in 1914 that he established his first company—Henry J. Kaiser Company, Ltd.—at Vancouver, B. C., and the first job was to pave a road two miles long in the Canadian city. He was then 32.

During the next seven years, he continued road paving work in Washington, Idaho and British Columbia and created a new way of doing the job by replacing mules with machinery. Doing jobs in better and faster new ways became a Kaiser trademark, and he saved his men many back-breaking hours by putting pneumatic tires on wheelbarrows and diesel engines in bulldozers.

He won his first job in California by jumping off a moving train. He wanted to bid on the job of building a 30-mile road between Red Bluff and Redding in northern California, but the train didn't stop at Redding. When it slowed down to drop off the mail, Henry Kaiser jumped off. He won the contract and in 1921 established his headquarters in Oakland, where it continues today in the 28-story Kaiser Center.

It was on this first California job that Henry Kaiser demonstrated another of his trademarks—speed. At that time the average progress for paving a road was two miles a month. Henry Kaiser tied five scrapers to a tractor, instead of one to a team of horses, and completed one mile every week.

He moved into the sand and gravel business in 1923 while he was paving a road between Livermore and Pleasanton in California. The aggregate plant developed into Kaiser Sand & Gravel, now one of the largest producers of aggregates in northern California. It was also Henry Kaiser's start in the business of mining and processing raw materials, a basic strength of the Kaiser companies today.

A CUBAN HIGHWAY LED TO WESTERN DAMS

The year 1927 was a turning point in Henry Kaiser's career when he went to Cuba to build a 200-mile, 500-bridge highway. It was a huge project for the young contractor, and the principle of teamwork learned on this job guided his future work. He conceived the joint venture concept that led to partnerships and associations of contractors for cooperative construction of projects too large for a single builder.

It was in Cuba also that Henry Kaiser realized that a growing organization must develop its management from within itself. He went into the busines of hiring young talent and training his future leaders—"building people" as he described it.

The Thirties was the era of the big dams—first Hoover, 726 feet high, then Bonneville and Grand Coulee on the Columbia River. Hoover Dam was constructed by a joint venture combine called Six Companies, Inc., of which Henry Kaiser was elected chairman of the executive committee. The dam was built in four years—two years ahead of schedule.

While the dams were being built, Kaiser's men were building piers for the world's longest bridge—the San Francisco-Oakland Bay Bridge, levees on the Mississippi River and pipelines in Kansas, Texas, Oklahoma, Arizona and Montana. Up to the start of World War II, Kaiser and associated firms built some 1,000 projects totaling $383-million.

Another dam started Henry Kaiser in his industrial era. Although he had no cement plant, he successfully bid to supply six-million barrels of cement to build Shasta Dam in northern California at a savings of $1,683,866 under the next lowest bid. With the contract in hand, he built a cement plant at Permanente, California, in only seven months from start of construction to production. He also supplied 11-million tons of aggregates for the dam, and built a nine and one-half mile conveyor belt—then the world's longest—to transport the material through the mountains.

Today, Kaiser Cement & Gypsum Corporation is the largest cement company in the West with annual sales of $99-million, 43 plants and facilities and assets of $150-million.

SHIPBUILDING WINS WORLDWIDE RECOGNITION

In 1940 when the Allies desperately needed ships, Britain called on the Kaiser "know-how" at marshalling men and materials and contracted for Kaiser to build shipyards and 30 cargo ships—thus began the shipbuilding program that won world-wide recognition.

At the peak of the shipbuilding era, Henry Kaiser and his associates operated 58 shipways at seven yards that built 1,490 ships during World War II—roughly 30 per cent of the American production of merchant shipping in this period—plus 50 small aircraft carriers. The Kaiser shipyards established a reputation for speed, averaging one new ship a day and an aircraft carrier per week.

On November 15, 1942, the Robert E. Peary was launched—4 days and 15 hours after the keel was laid. The ship was complete with bath towels and sharpened pencils in the chart room. The Kaiser streamlined, mass production of ships was based on prefabrication of major units and assembly line fitting of the parts into the whole.

Today, a Kaiser company, National Steel Shipbuilding in San Diego, California, continues the shipbuilding heritage and has a $300-million backlog of work.

During World War II, Henry Kaiser also managed the largest artillery shell operation in the U.S. He built and operated two magnesium plants for the production of the light metal and "goop," the magnesium incendiary. He supplied all the bulk cement used by the United States to construct Pacific fortifications. He operated an aircraft and aircraft parts manufacturing plant.

One acute problem for the World War II shipbuilder was the availability of steel ship plate in the West, so Henry Kaiser built his own steel plant at Fontana in southern California—the first integrated steel plant in the Western United States. Today, Kaiser Steel Corporation is the ninth largest in the United States with sales of $365-million annually.

POSTWAR PERIOD LAUNCHES KAISER'S GREATEST GROWTH

During the war, Henry Kaiser looked to the future and studied the postwar needs. He was convinced that four essentials would be in great demand—metals, building materials, homes and automobiles. He anticipated a growth period needing steel, cement and sand and gravel, and he also saw promise in another material—aluminum.

In 1946, Henry Kaiser entered the aluminum business by leasing surplus plants from the War Assets Administration. Industry sources claimed that "aluminum will be

running out of our ears"—so great had been the war-time expansion of capacity. One "expert" report listed 16 reasons why Kaiser's entry into aluminum was doomed to failure.

Within five years, Henry Kaiser and his team of energetic young managers were producing and marketing more aluminum than the entire U.S. annual output up to 1937, and in its first 20 years Kaiser Aluminum was destined to expand its capacity to approximately five times that pre-war level. How it was accomplished has been called one of America's greatest industrial success stories. Kaiser's constant search for new ideas anticipated the need for this light metal that would jump to 47 pounds per capita in 1966 from only 10 pounds in 1946. The four reduction plants in Louisiana, West Virginia and Washington have an annual capacity of 670,000 tons. Fabricating plants and rolling mills around the country serve the nation with literally thousands of aluminum products.

Also, the company is a substantial producer of industrial chemicals, refractories and agricultural fertilizers, operating nationwide. Recently, it has entered the nickel business. Its world-wide operations include primary aluminum plants in Africa and Australia, and fabricating plants in Europe, Japan, India, Australia, South America and Africa.

Kaiser Aluminum & Chemical Corporation today has assets in excess of $1.1-billion and annual sales exceeding $781-million. The fourth largest aluminum producer in the world, it has 88 plants and 27,500 employees.

MANUFACTURE OF AUTOMOBILE BECOMES WORLD-WIDE

Believing his men, who produced ships faster and at lower cost than ever before, could make a contribution in the postwar production of automobiles, Henry Kaiser formed the Kaiser-Frazer Corporation in 1945. Starting from scratch, the auto manufacturing plant at Willow Run, Michigan, led the industry in producing the first all-new car since 1941. Pioneering the postwar styling, the new company overcame terrific shortages of materials in its first full year of operations. It produced its own engines, its own bodies, its own steering gears; it built a new dealer organization, and broke all records in the history of the industry for number of new cars produced by a starting company in a new plant.

Automobile manufacturing in the postwar period was an exceedingly competitive business. After 10 years of passenger car production in which 750,000 Kaiser cars rolled off the assembly line, Henry Kaiser withdrew from the passenger car market in the United States and concentrated on the production of the famous four-wheel-drive "Jeep" utility vehicles in this country and overseas. In the early Fifties, he started complete manufacturing facilities of motor vehicles in South America, establishing Willys-Overland do Brasil and Industrias Kaiser Argentina.

Today, Kaiser Jeep Corporation manufactures a wide variety of sports and compact cars, station wagons and "Jeep" utility vehicles in the United States and in 32 foreign countries, as well as producing numerous military vehicles. Kaiser "Jeep" sales totaled $333-million in 1966, and the two South American companies produced 121,000 vehicles, not counting other "Jeep" affiliates in more than 30 countries.

KAISER STEEL BUILDS THE WEST

In his life-long quest to "find a need and fill it," Henry Kaiser knew that the Western United States could not reach industrial maturity and provide jobs and products for vast population growth without having its own steel industry—"Steel, the Mother of Industries." Skeptics said the West Coast had neither the raw materials nor sufficient markets to gain its independence from the Eastern steel sources.

Mobilizing private capital and the Kaiser management team, Henry Kaiser founded the West's first and only fully integrated iron and steel industry in southern California at Fontana in 1941. Its iron ore deposits are mined only 164 miles away at Eagle Mountain, and coking coal mines are in the neighboring states of Utah and New Mexico.

In its first quarter of a century, Kaiser Steel has invested $713 million in plants, equipment and other fixed assets, expanding steadily with each peace-time year. It has reached a capacity of three million ingot tons a year, and its multiple rolling mills and fabrication facilities produce the array of products required by the industrialization of the West. In its 25-year history, Kaiser Steel has produced 35-million tons of steel, sold products exceeding $5-billion and paid its employees $1.5-billion in wages.

In a pioneering innovation in human relations, Kaiser Steel and the United Steelworkers of America have developed a plan of sharing cost savings that has paid participating employees $10.9-million in cash bonuses and set aside $8.6-million more in a wage and benefit reserve. At the same time, employees are protected against technological displacement.

Kaiser Steel is 36 per cent owner of the Hamersley Iron project in western Australia, one of the world's greatest iron ore developments. This company has contracts approaching $1 billion for sales of ore over a 16 year period to steel companies in Japan and Europe. The rich iron ore deposits of Mt. Tom Price, named for a life-time associate of Henry Kaiser, started shipments in August, 1966. Ore is hauled to the Coast on its own 182-mile railroad and bulk-shipped in 65,000-ton ore ships.

OTHER COMPANIES GROW UNDER HENRY KAISER

Kaiser Cement & Gypsum Company has grown to the ninth largest cement manufacturing company in the United States with an annual capacity to 19.7-million barrels. Its subsidiary, Kaiser Gypsum, distributes insulating and gypsum board products in 29 states and the Pacific Basin.

Kaiser Community Homes, formed in 1945 to meet the postwar housing shortage, has built 10,000 homes in California and led to other real estate development activities.

In Hawaii since 1955, Henry Kaiser directly supervised the building of the 1,146-room Hawaiian Village Hotel (sold to Hilton); the Kaiser Foundation Medical Center; a $13½ million cement plant; and radio and television broadcasting facilities (also sold). Kaiser is now building the new community of Hawaii-Kai at Honolulu for an ultimate population of 60,000 residents.

Kaiser Broadcasting Corporation, which grew out of the Hawaiian facilities, is now developing UHF television stations in Detroit, Philadelphia, Boston, southern California, San Francisco and Cleveland, and FM radio stations in San Francisco and Boston.

The engineers and managers who have "grown up" with Henry Kaiser and accomplished the so-called "impossible" projects operate Kaiser Engineers Division. A world-wide engineering and construction firm, it has a backlog of $800-million of uncompleted work this year.

Kaiser Aerospace & Electronics Corporation develops and manufactures aircraft and missile components and electronic equipment. Its new Kaiser Flite-Path and radar converter systems promise improved safety concepts for the aviation industry.

HEALTH PLAN KAISER'S FAVORITE PROJECT

Closest to Henry Kaiser's heart was the founding of the world's largest private initiative system of hospitals and pre-paid medical care. When he was 16 years old, his mother died in his arms for lack of medical care. He resolved, if he ever could, to help others protect and maintain their health.

Kaiser's opportunity to pioneer in meeting this great need came three decades ago when he was building pipelines and dams far removed from hospitals and doctors. The medical care program evolved from the need to provide workers and their families with health care in remote areas of the west. The plan was extended to the shipyard workers during the war, and, by public demand, was subsequently opened to other groups, industries and individuals. The program is now serving a cross-section of the public in California, Oregon and Hawaii.

The non-profit Kaiser Foundation Health Plan, emphasizing preventive medicine and comprehensive care, now has a membership of more than 1.5-million and is growing at the rate of 10 per cent a year. Facilities now include 18 hospitals, with 3,200 beds, and more than 40 medical clinics in the three western states. Professional services are provided by 1,500 doctors who conduct their own partnerships.

AWARDS ACCLAIM HENRY KAISER'S ACHIEVEMENTS

Honorary doctorate degrees conferred upon Henry Kaiser include: Hobart College, Washington State College, Montana College of Mineral Science and Technology, University of Nevada, Marshall College, St. Mary's College and University of California.

He has been decorated with France's Legion of Honor, Chevalier. Awards include the New Orleans' Cunningham Award for contributions to advancement of Latin America; International Broadcast Free Enterprise Award, as "distinguished citizen exemplifying that free enterprise is the true foundation of a free world"; Humanitarian Distinguished Community Service Award of International Association of Machinists; Success Unlimited Philosophy of American Achievement Award; Jewish War Veterans of the U.S.A. Medal of Merit for "contribution to human relations in industry"; American Society of Travel Agents Award; and City of Oakland and Alameda County, California, Kaiser Day and Award for "inspiring contribution to community progress and growth."

Partly because of his pioneering in medical care for all, in 1965 Henry Kaiser received the Murray-Green Humanitarian Award, "in recognition of notable accomplishments in voluntary medical care, housing and labor-management relations"—together with citation from President Lyndon B. Johnson stating this was "the first occasion on which the AFL–CIO selected an outstanding industrialist to receive their highest honor . . . Henry Kaiser epitomizes a departure from the past . . . a pioneer of the new breed of responsible businessmen . . ."

He was elected by students of U.S. colleges as favorite industrialist for 1963 Robbins Award of America for Inspiration to Youth; and recognized by Fortune magazine as a "Grand Old Man of Business," and that no man in history of private enterprise had established as many varied industries.

In Hawaii during recent years, Henry Kaiser was honored with Hawaii's Salesman of the Year Award; Order of the Splintered Paddle Award . . . "More than any American of this era a legend in his own lifetime—for contribution . . . through his vision, leadership, beliefs and his deep and abiding understanding of the need for good human relations"; Honolulu Realty Board Honorary Membership; Hawaii's Father of the Year; Resolutions by three Hawaii legislatures hailing Kaiser contributions to Hawaiian Islands' development; Hawaii's Native-Born Citizen of the Year; Brotherhood Award as "Distinguished Builder of Society."

Henry J. Kaiser recently made his home in Hawaii—a legend in his own lifetime—not only for his many accomplishments, but also for the way he has done them. The family of companies which he founded now exceeds the hundred mark. Their combined assets are more than $2.7-billion. Aggregate

annual sales exceed $2.1 billion. Plants and facilities total 190 in 33 states and 40 countries overseas. The annual payroll for 90,000 employees exceeds $630-million. Shareholders in the publicly-held companies total 140,000 investors.

HENRY J. KAISER—HONORS AND MEMBERSHIP

Doctor of Science (1943), Hobart College, Geneva, New York.

Doctor of Laws (1943), Washington State College, Pullman, Wash.

Doctor of Engineering (1944), Montana School of Mines, Butte, Montana.

Doctor of Laws (1948), University of Nevada, Reno, Nevada.

Doctor of Humane Letters (1955), Marshall College, Huntington, W. Virginia.

Doctor of Laws, (1956), St. Mary's College, St. Mary's, Calif.

Doctor of Laws (1961), University of California, Berkeley, Calif.

The LaSalle Medal (1944), LaSalle University, Philadelphia, Penn.

Cunningham Award (1957), International House, New Orleans, La.

Robbins Award of America (1963), Utah State University, Logan, Utah.

Degree of Chevalier, Legion of Honor (1952), Republic of France.

The Murray-Green Award (1965), The AFL–CIO Executive Council.

Order of the Splintered Paddle (1966), Honolulu Chamber of Commerce.

Member: Beta Gamma Sigma, national honorary business fraternity; the Beavers, Los Angeles, construction industry organization; Elks Club, Everett, Washington; Waialae Country Club, Honolulu, Hawaii; San Francisco Press Club, San Francisco, California (honorary); Automobile Old Timers Club, New York; Newcomen Society of North America.

TRIBUTE TO LIZ CARPENTER

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PICKLE] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PICKLE. Mr. Speaker, last weekend the First Lady's press secretary, Liz Carpenter, returned to her hometown to be honored as one of the outstanding women of Texas.

In a colorful ceremony at Salado in central Texas, Mrs. Johnson lauded her as a person of "creativity, laughter, speed, and kind and thoughtful deeds."

Truly, Liz Carpenter is an outstanding woman, and I would like to commend to the attention of our colleagues the newspaper account of the ceremonies as they appeared in my hometown paper, the Austin American-Statesman:

SALADO: LIZ, OLD ROBERTSON HOME HONORED

(By Lois Hale Galvin)

SALADO.—Liz Carpenter returned to the summer home of her childhood Friday afternoon as both she and the historic Col. Sterling C. Robertson Home here were honored.

Among those present was Liz' boss—Mrs. Lyndon B. Johnson—for whom she serves as press secretary; first woman and first working reporter ever to serve in such a capacity.

The occasion—honoring Liz Carpenter as an Outstanding Texas Woman and designating the Col. Robertson plantation complex as an official Texas Historic Landmark—was sponsored jointly by the Central Texas Area Museum Association, the Texas State Historical Survey Committee, the Texas Federation of Women's Clubs and the Texas Historical Foundation.

Texas' First Lady, Mrs. John Connally; a bevy of prominent Washingtonians and Texans; and a passel of Robertson-Sutherland kin were among the 4,000 guests present for the ceremonies on the front porch of the ante-bellum home.

"I want to tell you how we see Liz," they heard Lady Bird Johnson say. "Creativity—laughter—speed—and kind and thoughtful deeds."

Silvery-haired, dressed in a turquoise floral dress with matching shoes, Mrs. Carpenter spoke both sentimentally and humorously in accepting the awards.

"It is awkward to share in public something which is very private, but this home place casts a spell upon all those it has touched. For me, it has always been like rose petals in some old earthenware jar. Every corner of it is a memory. Dozens of cousins on pallets in the summertime, reading the worn old books about Anne of Green Gables or the Little Colonel . . . The cool dignity of the old parlor where my mother and father were married . . . Cleaning out the spring so the watercress could grow free . . . Or cutting down your own cedar tree in the back pasture for Christmas . . . Feeding baby lambs in the Spring or your uncle saddling up the mare so you could ride to Norwood's Store for the mail.

That's the Salado that I take with me wherever I go and I am deeply grateful to my Aunt Lucile for the determination to see that this lovely old gem of a town was kept for the future. Now my own children and others . . . who have only known the sound of the city . . . may feel the enchantment of this spot."

Exclaiming over how Salado "looms" on the map today, Liz recalled the difficulties her journalist-husband Les Carpenter, had finding the place when "he came courting by Greyhound Bus in the early forties; the 1940's, that is."

Liz' Aunt, Mrs. Sterling Robertson and other members of the Robertson clan, made brief remarks during the ceremonies, as did John Ben Shepperd of Odessa, former Attorney General and immediate past president of the Texas State Historical Survey Committee; Dr. Leonard Holloway of Belton, president of Mary Hardin-Baylor College; Joe Wallace of Killeen, president of the Texas State Area Museum Association; Charles Woodburn of Amarillo, president of the Texas State Historical Survey Committee; Mrs. B. F. Seay of Andrews, president of the Texas Federation of Women's Clubs; Sterling C. Robertson of Dallas, great great grandson of the builder; F. Lee Lawrence of Tyler, president of the Texas Historical Foundation; Mrs. Robertson and Mrs. Jerry Van der Heuvel, president of the Women's National Press Club; Dr. DeWitt C. Reddick, dean of the School of Communications of the University of Texas.

Before and following the program, Mrs. Carpenter led reporters and friends around the plantation home grounds to visit the booths of skilled Texas craftsmen whose work was on display.

"Isn't this great!" she would say.

"Isn't this beautiful!"

"Doesn't this real Texas art beat those tacky rattlesnake ashtrays and things that most tourists have been remembering Texas by?"

The exhibiting craftsmen and artist were Julianan Cowden of Alvarado, Malcolm Thurgood of Wimberley, Mrs. Maise Lee of Marathon, Edward Arvin of Killeen, Buck Schwitz of Hunt, and Mrs. Gertrude Meyer of Hunt, Mrs. Helen Bourgeois of Fredericksburg, Mrs. William Ward of Mountain Home, Mrs. Sherman Lindsey of Temple, Mrs. L. J. Epperson of Tyler, Mrs. Alfred Negley and Janet Shook LaCosta of San Antonio, Helen Monette of Wimberley, Orvil S. Mitchell of Midland, Virgil Hagy of San Antonio and Ishmael Soto of Austin and Mr. and Mrs. S. D. Rowe of Abilene.

Lending a note of color were Jaycees of Killeen and Jaycee-ettes who helped usher and furnish the booths. Last but not least were the colorful Highland Lassies of Dallas with their bagpipes.

INTERNATIONAL MONETARY REFORM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. FASCELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FASCELL. Mr. Speaker, the efforts of the free world's leading industrial countries to find mutually acceptable bases of international monetary reforms reached a new high point last weekend. The finance ministers and the heads of central banks of the group of 10 countries—United States, France, Britain, the Netherlands, Belgium, Canada, Japan, Italy, West Germany, and Sweden—have agreed upon a plan for the establishment of contingency machinery for creating a new international monetary asset to supplement gold, the dollar, and sterling reserves for settling international accounts. What they are doing, in brief, is creating a new form of international money.

In a report made 2 years ago, entitled "The Gold Situation," which was based upon a study made by the House Committee on Government Operations Subcommittee on Legal and Monetary Affairs, of which I am chairman, the impending need to supplement gold and dollars with additional international monetary reserves was considered. The various plans that were then under consideration were also discussed.

The United States had taken the lead in calling for technical studies of means for accomplishing international monetary reforms and in progressing from the study to the negotiating stage.

Basically, the plan permits each member country of the International Monetary Fund to use special drawing rights—to be created—instead of its gold or dollar reserves to settle its obligations if the IMF decides that the creation of such new asset is necessary to foster a continued expansion of world trade. More details concerning the plan, and its provisions for veto of its activation are contained in the attached article from the Wall Street Journal of August 28, entitled "Big Ten Nations Propose Currency Reform Outline."

The plan will be presented to the International Monetary Fund next month for approval. The legislative branches of the member nations, before the plan will be adopted, also must grant approval.

The plan constitutes a marked success on the part of all the officials of the United States who have been working on the problem constantly for about 6 years, often with great opposition from other countries, particularly France. Secretary of the Treasury Henry Fowler, who headed the American delegation to

London which succeeded in working out the compromise plan, is quoted as saying:

This has indeed been one of the great days in the history of international financial cooperation.

I certainly agree, because a long step has been taken to help ease the strain on the American economy in the future, and to maintain the stability of the dollar and all world currencies. The Secretary and all who participated in this monumental task are to be commended.

This great achievement should redound to the benefit of the entire free world.

"BIG TEN" NATIONS PROPOSE CURRENCY REFORM OUTLINE—IMF MUST VOTE ON PROGRAM EXPECTS TO CURB GOLD LOSSES, SPUR WORLD TRADE—FUND WOULD SET UP LOANS

WASHINGTON.—Key industrial powers agreed on an ambitious compromise plan for international monetary reform that is expected to curb U.S. gold losses in the era ahead while allowing expanded world trade.

After six years of studying, sparring and stalling, the U.S. and others in the "Big Ten" group of nations emerged from a crucial weekend session in London with an outline that they all are pledged to push at next month's meeting of the 106-nation International Monetary Fund in Rio de Janeiro. The agreement, Treasury Secretary Fowler said, marks "one of the great days in the history of international financial cooperation."

Basically, the plan calls for greater ability for nations to borrow existing currencies from the IMF, but the proposed "special drawing rights" could be used directly in settling payments accounts between governments. "There is no question," exulted a high-ranking U.S. strategist, "that we have created a new form of international money."

The fundamental aim of the plan is to avoid trade-stifling policies by countries that are short of current international reserves, chiefly gold, dollars and existing automatic rights to borrow currencies from the IMF. The reserves are used to tide the countries over balance-of-payments deficits, which occur when more money leaves a country than returns.

If expectations of the plan are borne out, countries will have less need to abruptly tighten credit, raise taxes or devalue currencies to curb international financial flows.

The U.S. and the United Kingdom have been arguing that the slow growth of international reserves makes it prudent to have a contingency plan ready. France and some others had been resisting, saying that there isn't any shortage of reserves and that making it too easy for countries to continue having payments deficits might encourage loose fiscal practices and feed global inflation.

NEW RESERVE "UNIT"

While the U.S. and the U.K. preferred creation of a new reserve "unit" that governments could use as money, the continentals generally preferred an expanded credit arrangement because of the "discipline" imposed by repayment. They were aiming this point mainly at the U.S., which has had a payments deficit almost every year since World War II.

The Europeans' fears haven't been entirely overcome, of course, and it's generally expected that the additional drawing rights wouldn't be pumped out until the U.S. and the U.K. prove they can solve their payments problems without the extra help. Lately, U.S. officials have been saying that they don't see how the American deficit could be ended so long as the Vietnam war continues to cause a substantial dollar outflow.

To a surprisingly large extent, the Johnson Administration negotiators, headed by Mr. Fowler, won on substance while the Europeans won on form; on every major feature of the plan there are built-in conditions that prevent claims of outright victory or defeat by either camp.

Assuming approval by the IMF and ratification by participating countries, the IMF would ration to each member country every year "special drawing rights" based roughly on economic size. Of a hypothetical $2 billion, the U.S., for example, might get $400 million of rights.

The U.S. could save the rights as a supplement to its gold reserves, cash them in for foreign currencies at the IMF, or "spend" them directly in payment for surplus dollars held by another country. Any dollars "mopped up" this way would be removed as threats to U.S. gold, which the Treasury has pledged to exchange for surplus dollars at the fixed price of $35 an ounce.

Probably 90% of the use of the new rights would be through such direct transfer from one country to another, one U.S. analyst said.

"CONVERSION RIGHT"

The direct "conversion right" wouldn't be an iron-clad one, though, as the other country would have the privilege of saying no. In that case, the U.S. would turn the rights back to the IMF, which would pick out a country with a fast-growing surplus of dollars. Such a country would be obligated to take the rights up to three times its own allocation. This method, too, would absorb dollars that might otherwise have been used to buy U.S. gold.

Unlike other "drawings" or loans from the IMF, the new rights wouldn't ever have to be actually repaid to the IMF, U.S. officials said, and the "reconstitution" agreed on instead is only partial. During the initial five years, a country could freely use 70% of the rights it had been allocated, but it still would have to have 30% left at the end. "This makes it 70% money and 30% credit," one official said.

If at the end of five years the U.S. had less than 30% of its rights left, it would have to "reconstitute" its holdings to that level. It could do this by accepting rights instead of dollars or gold from a government in debt to the U.S. or by using dollars to purchase rights from a country with an excess of them. In either case, there would be more dollars than otherwise in foreign hands that would then be potential claims on U.S. gold.

One price the U.S. paid for escape from an outright-repayment clause could prove steep. This is an agreement that it would take an 85% majority of the IMF to "turn on" the proposed new credit-issuing machinery and to set the overall amount, period and rate of allocation. This would be a high enough proportion to assure the six common market countries—France, West Germany, Italy, Belguim, the Netherlands and Luxemburg—a "veto power" over any issuance of new rights.

All but Luxemburg also are in the Big Ten. Aside from the U.S. and the U.K., the other members of the group are Canada, Japan and Sweden.

COMMEMORATION OF THE ANNIVERSARY OF THE INVASION OF POLAND

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. ANNUNZIO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, although 28 years have passed since the Nazi and Soviet invasions of Poland took place on September 1, 1939, we cannot yet recall that tragic event without bitterness and shame.

Throughout history, Poland has served as a bulwark of Christian civilization in Europe, restraining the Tartars and the Turks as they plundered and pillaged across the continent.

In the fall of 1939, there was no one able to protect Poland or to preserve her civilization, and this long-suffering land became a nation without a state, a tyrannized and persecuted country, deprived of half its territory and millions of its people.

When the Germans invaded Poland on September 1, their 76 superbly organized and mechanized divisions met little difficulty in devastating the unprepared Polish forces, though the 830,000 soldiers and officers of the Polish Army fought doggedly and gallantly.

Alone and unaided, they maintained a courageous resistance, first to the Germans, and 16 days after the German invasion, to the Russians, who entered eastern Poland on the pretext that the Polish state no longer existed.

Thousands of Polish Infantry, Navy, and Air Force troops, forced to flee the military might of the invaders, joined the Allies and took up arms once more in Germany, France, Norway, North Africa, Italy, and Sicily. As the regular army slowly disintegrated within the country, an underground movement developed, directed by the Polish Government-in-Exile. Stray divisions of the Polish Army together with civilian men, women, and children, intrepidly destroyed German planes, ammunition dumps, bridges, and other military installations.

Often forced to survive for months, or even years in forests and mountains, members of the resistance and the Polish populace at large reacted consistently with spirit and conviction. Refusing to betray their national honor and collaborate with the enemy, 6 million Poles preferred self-respect and death to capitulation and cringing life.

Millions more suffered deportation and imprisonment in labor camps in Siberia and Asiatic Russia, or in Polish and German concentration camps, as Germans and Russians alike systematically attempted to destroy Polish cultural and religious life. Even in 1945, there was no peace for Poland. Absorbed by Soviet imperialism, the Poles have continued to fight for personal liberty and national integrity.

Those who have immigrated to the United States have brought with them their love of liberty, and their respect for law and order. They have contributed much, socially, economically, politically, and culturally, to the advancement of our Nation, and have helped make the United States one of the greatest countries in the world.

I take this opportunity, Mr. Speaker, to give recognition to the great number of Polish Americans who reside in the Seventh District of Illinois and whom I am proud to represent in the Congress. They form a substantial part of the

group of solid, hard-working American citizens who are the backbone of our country. I can easily recall many Polish Americans from Chicago who are leaders in their community and a credit to their Polish heritage. They are:

Aldermen: Donald T. Swinarski, Casimir J. Staszcuk, Joseph J. Krska, Frank J. Kuta, Robert J. Sulski, Casimir C. Laskowski, Edwin P Fifielski, Stanley M. Zydlo, Robert Brandt.

Judges: Casimir V. Cwiklinski, Walter J. Kowalski, Eugene L. Wachowski, Raymond P. Drymalski, Sigmund J. Stefanowicz.

Justice, Illinois Supreme Court: Thomas E. Kluczynski.

Judge, appellate court: Thaddeus V. Adesko.

Committeemen: John C. Marcin, Theodore A. Swinarski, Mathew W. Bieszczat, Felix F. Kucharski, Edwin T. Kolski, Aloysius A. Mazewski, Hon. DAN ROSTENKOWSKI, Hon. ROMAN PUCINSKI.

County commissioners: Charles S. Bonk, Lillian Piotrowski, Mathew W. Bieszczat.

Board of appeals: Bernard J. Korzen.

Metropolitan sanitary district trustees: John B. Brandt, Valentine Janicki.

Associate clerk of the circuit court: Theodore A. Swinarski.

County treasurer: Edward Kucharski.

City clerk: John C. Marcin.

State representatives: Chester R. Wiktorski, Jr., Chester Majewski, Matt Ropa, Walter Duda, John G. Fary, Louis Janczak, Henry J. Klosak, Henry M. Lenard, John S. Matijevich, Nick Svalina, John F. Wall, William F. Zachacki.

State senators: Thad L. Kusibab, Zygmunt A. Sokolnicki, Joseph J. Krasowski, Frank M. Ozinga.

Mr. Speaker, on this occasion I also want to give special recognition to our distinguished Polish American Congressmen from Chicago: Hon. JOHN C. KLUCZYNSKI, Hon. DAN ROSTENKOWSKI, Hon. ROMAN C. PUCINSKI, and Hon. EDWARD J. DERWINSKI.

It is thus appropriate that on Friday, September 1, which is the 28th anniversary of the invasion of Poland, we salute the unquenchable spirit and endurance of the Polish people. Their battle has not yet ended but we look ahead hopefully to the day when they will join us in the ranks of free nations.

FEDERAL REGULATION OF INSURANCE COMPANIES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RESNICK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. RESNICK. Mr. Speaker, as part of my ad hoc hearings into the affairs of general farm organizations, I issued an invitation to Mr. Frank Sullivan, insurance commissioner of Kansas, to testify about some very serious charges made against his office. Mr. Sullivan, when contacted by my office by phone, assured us that he would appear. Subsequently, in telegrams to me, he pleaded "previous commitments" and did not appear.

Since the Farm Bureau Federation and its affiliates have decided to boycott these hearings, the president of the Kansas Farm Bureau Insurance Co. will not be present to answer to these charges, either.

The statement I am making is on behalf of an individual whose identity must be protected in order to prevent reprisals against him.

However, when this case is taken before the appropriate judicial or administrative bodies, all of the facts and sources will be presented.

It has been brought to my attention that the Office of the Commissioner of Kansas, Department of Insurance, has received highly improper gifts from the Farm Bureau Insurance Cos. of Kansas consisting of two or more annual football and basketball season tickets valued at several hundred dollars.

I do not think it is important that the exact value be placed on it.

The insurance commissioner's office has been placed in the position of accepting gifts from someone he is supposed to be regulating.

I think if this happened on a Federal level that Federal official would not be around very long.

Furthermore, it has been charged that the Kansas Department of Insurance has overlooked numerous improper activities carried on by the Farm Bureau insurance companies of Kansas.

I would remind you again at this point that the Farm Bureau justifies its insurance companies by stating that they exist only to provide economic services for its members.

This justification is difficult to accept in light of the way the Kansas Farm Bureau insurance companies operate.

The top executives of the Farm Bureau insurance companies are also provided with season football and basketball tickets for themselves and their wives and their families.

The insurance companies spend several thousands of dollars a year for membership for their top executive personnel in an expensive Kansas country club.

It is the job of the Kansas Department of Insurance to supervise the activities of insurance companies licensed to operate in Kansas. One must question the diligence with which the department is performing its function in the case of the Kansas Farm Bureau insurance companies. These questions become more serious in the light of the reported gifts that that office is receiving from the Farm Bureau insurance companies.

I would say right here that we all read how the costs of insurance continually go up and how there is now a cry for Federal regulation of insurance companies.

One of the duties of an insurance company is to see that the rate increases are justified. Surely with this kind of padding going on, this kind of puffing up of expenses, the one who finally pays is the policyholder, the automobile owner. It certainly seems to me that the Kansas Department of Insurance is quite delinquent in its duties.

Despite statements by the Farm Bureau that their insurance is provided as a service only for members, it is reported to me that approximately 40 percent of the policyholders of Kansas Farm Bureau insurance neither own nor operate a farm nor have a major agriculture interest.

In Riley County, for example, where the company home office is located, nonagriculture membership is 64.5 percent. It would seem to me that in Kansas it is pretty hard not to find people who are farmers. That has a pretty high percentage of its population directly involved in farming and still the Farm Bureau manages to find them. Unfortunately, the American taxpayers are underwriting these questionable activities on the part of the Kansas Farm Bureau Insurance Co. Despite the fact that the two Kansas Farm Bureau insurance companies have earned premiums of more than $13 million, they paid less than $7,000 in Federal income tax last year.

I intend to furnish this information and other information regarding the Kansas Department of Insurance and the Farm Bureau insurance companies to the appropriate judicial administrative bodies for their appropriate attention and action, and in particular Governor Docking, of Kansas.

This is also very difficult to understand when I am sure their membership are supposedly the farmers of Kansas, the wheat farmers of Kansas. I don't think too many of them could be found out on those golf courses, especially in the summertime.

I can understand Metropolitan Life Insurance Co. or Prudential or Nationwide feeling that their people have to be in the country club but I find it very difficult to understand that somebody selling insurance supposedly only to farmers has to be at country clubs.

It has been charged that the expense accounts of these executives are highly padded. Automobiles for personal use are provided by the company for its executives.

It has been estimated that nearly 1 million miles a year in personal mileage is paid for by the company.

Many of these cars have absolutely no business-related purpose. Many of the cars are provided with trailer hitches for the employees' boats.

It may be that they are in the boat insurance business and they go around appraising boats but in any event, they have trailer hitches on their cars.

For example, one board member despite the fact that her office is in the Farm Bureau Insurance Co. drives a round trip distance of about 550 miles per week to and from her home.

This mileage is paid for by the company.

In addition, there is a blatant and direct overlap in Kansas between the duties, jobs, and functions of the Farm Bureau insurance agents and of the Kansas Farm Bureau employees.

There is also an overlap in office space.

Again, I believe this points up that these insurance companies are used as a source of income.

In other words, income from the insurance companies are funneled into the Farm Bureau operation so they can car-

ry on their various economic and political activities.

THE UNITED STATES AND SOUTH VIETNAM JOIN IN A DRAMATIC PUBLIC EFFORT TO PUBLICIZE FREE ELECTIONS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOGGS. Mr. Speaker, the United States and South Vietnam have now joined in a dramatic public effort to invite world observance of the forthcoming elections in South Vietnam.

This is a remarkable show by the Government of South Vietnam to demonstrate its faith in its ability to have free and open and honest national elections.

President Johnson has chosen, from our Nation, a broadly representative group of Americans from all segments of society, representing all political views, and reflecting the opinions of labor, management, religious groups, and local government.

This is certainly a group we can trust to give us a broad view of the elections, and President Johnson should be complimented for having responded so swiftly and so well.

South Vietnam has also opened the elections and the country to the free press and the United Nations.

In short, we shall have complete evidence on which to base an evaluation of the elections while they are going on and after they are completed.

This is an outstanding show of confidence of Vietnam in itself.

Rarely has a nation embattled opened its doors to this kind of election scrutiny. We ought to be proud that the United States is sharing this moment of democracy, just as we have shared the burden of defending Vietnam against communism.

I commend President Johnson for accepting the Vietnamese invitation.

I hope and pray that this effort will serve to answer those who have cried "fraud" before there was any fraud proven.

I hope and pray that we as a nation take renewed hope from these efforts by Vietnam, for they certainly show a nation willing and eager to be judged by the standards of world opinion.

This is something the Communists in Hanoi have never done and will never do.

The contrast between a budding democracy in the south and a closed dictatorship in the north are now evident for all to see.

Let us take a lesson from this and support President Johnson as he perseveres in Vietnam.

NICHOLAS KYROS, FATHER OF REPRESENTATIVE PETER KYROS

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maine [Mr. HATHAWAY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HATHAWAY. Mr. Speaker, I rise to offer my condolences to my good friend and our respected colleague, Representative PETER KYROS, on the death of his father.

The elder Mr. Kyros, who passed away at Portland, Maine, on Friday, August 25, was born in Greece on January 1, 1882. His early years were filled with great adventure, and his closing ones with satisfaction.

As a child, Nicholas Kyros was caught up in the great exodus that left the old world to seek America. The immigrants brought a wealth of vitality, an idealism and an ambition that has enriched the Nation, and Nicholas Kyros was exemplary among them.

He arrived in Philadelphia in 1892 at the age of 10 and was educated there. From Philadelphia, he moved to Lowell, Mass. In 1907, he moved again to join his brothers in Portland, Maine, where he lived out his life.

He traveled to Portland with his young wife Anna Poulos Kyros, and there raised two sons. Mr. Kyros operated a restaurant in Portland where he became widely known and greatly respected. He was an industrious, hard-working, deeply religious, and honest man, and his success as a businessman and parent attests to his courage.

For this immigrant boy, grown respected, the election of his son as a Member of Congress must have been a source of great pride, and we can take pleasure in the fact that he lived to see it.

When Nicholas Kyros died at the age of 85 last week, Portland lost a distinguished citizen and all who knew him lost a valued friend.

I extend to our honored colleague, to his widowed mother, to his brother, and to their families my condolences upon the passing of their beloved husband and father.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCCULLOCH (at the request of Mr. GERALD R. FORD), for Tuesday, August 29, 1967, on account of official business (National Advisory Committee on Civil Disorders).

Mr. CHARLES H. WILSON, for the week of September 11, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. FEIGHAN (at the request of Mr. ALBERT), for 60 minutes, today; and to revise and extend his remarks and include extraneous matter.

Mr. MCDADE (at the request of Mr. BOB WILSON), for 30 minutes, today; to revise and extend his remarks and include extraneous matter.

(Mr. PICKLE, for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

Mr. BINGHAM (at the request of Mr. CHARLES H. WILSON), for 15 minutes, on August 30; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. BOB WILSON) and to include extraneous matter:)

Mr. FINO.

Mr. BOB WILSON.

Mr. KUYKENDALL.

(The following Members (at the request of Mr. MAYNE) and to include extraneous matter:)

Mr. SAYLOR.

Mr. REINECKE.

(The following Members (at the request of Mr. CHARLES H. WILSON) and to include extraneous matter:)

Mr. DOW.

Mr. GREEN of Pennsylvania.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1467. An act to provide authorizations to carry out the beautification program under title 23, United States Code; to the Committee on Public Works.

S. 1504. An act to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for loans for enterprises to supplement farm income and for farm conversion to recreation, remove the annual ceiling on insured loans, increase the amount of unsold insured loans that may be made out of the fund, raise the aggregate annual limits on grants, establish a flexible loan interest rate, and for other purposes; to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5876. An act to amend titles 5, 14, and 37, United States Code, to codify recent law, and to improve the code.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 52 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 30, 1967, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1030. A letter from the Comptroller General of the United States, transmitting a report of followup review of cotton inventory management by the Commodity Credit Corporation, Department of Agriculture; to the Committee on Government Operations.

1031. A letter from the Acting Assistant Secretary for Administration, Department of Commerce, transmitting a report on commissary activities outside the continental United States for fiscal year 1967, pursuant to the provisions of 5 U.S.C. 596A; to the Committee on Interstate and Foreign Commerce.

1032. A letter from the Chairman, Federal Power Commission, transmitting a draft of proposed legislation to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

1033. A letter from the Executive Director, Federal Communications Commission, transmitting a report on backlog of pending applications and hearing cases, as of June 30, 1967, pursuant to the provisions of Public Law 82–554; to the Committee on Interstate and Foreign Commerce.

1034. A letter from the Attorney General, transmitting a report on the administration of the Foreign Agents Registration Act, covering the calendar year 1966, pursuant to the provisions of the Act; to the Committee on the Judiciary.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DANIELS:

H.R. 12681. A bill to raise additional revenue by tax reform; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 12682. A bill to amend title 38 of the United States Code in order to establish additional criteria for determining whether certain college curricula are full-time courses of study; to the Committee on Veterans' Affairs.

By Mr. DERWINSKI:

H.R. 12683. A bill to amend the income limitation provisions applicable to veterans and widows of veterans receiving non-service-connected disability pensions under chapter 15 of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mr. GREEN of Pennsylvania:

H.R. 12684. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. HÉBERT:

H.R. 12685. A bill to provide for orderly trade in textile articles; to the Committee on Ways and Means.

By Mr. McCLORY:

H.R. 12686. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479) by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. MATSUNAGA:

H.R. 12687. A bill to prohibit national banks from engaging in the travel agency business; to the Committee on Banking and Currency.

By Mr. MONTGOMERY:

H.R. 12688. A bill to provide for the issuance of a special postage stamp in commemoration of the 196th anniversary of the birthday of Brig. Gen. Samuel Dale; to the Committee on Post Office and Civil Service.

By Mr. MOORHEAD:

H.R. 12689. A bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein; to the Committee on Interstate and Foreign Commerce.

By Mr. O'NEILL of Massachusetts:

H.R. 12690. A bill to authorize the Secretary of Commerce to make arrangements for an improved insurance protection program for areas where such insurance at reasonable rates is not now available, and for other purposes; to the Committee on Banking and Currency.

By Mr. OTTINGER:

H.R. 12691. A bill to facilitate the entry into the United States of aliens who are brothers or sisters of U.S. citizens, and for other purposes; to the Committee on the Judiciary.

By Mr. PERKINS:

H.R. 12692. A bill to provide counseling and technical assistance to local educational agencies in rural areas in obtaining benefits under laws administered by the Commissioner of Education; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 12693. A bill to supplement the purposes of the Public Buildings Act of 1959 (73 Stat. 479) by authorizing agreements and leases with respect to certain properties in the District of Columbia, for the purpose of a national visitor center, and for other purposes; to the Committee on Public Works.

By Mr. ROYBAL:

H.R. 12694. A bill to amend the Internal Revenue Code of 1954 with respect to the estate tax treatment of certain interests created by community property laws in employees' trust and retirement annuity contracts; to the Committee on Ways and Means.

By Mr. SCHWENGEL:

H.R. 12695. A bill to create an independent school board in the District of Columbia; to the Committee on the District of Columbia.

By Mr. WYATT (for himself, Mr. ULLMAN, and Mr. KEITH):

H.R. 12696. A bill to amend the tariff schedules of the United States to provide that the amount of groundfish imported into the United States shall not exceed the average annual amount thereof imported during 1963 and 1964; to the Committee on Ways and Means.

By Mr. WOLFF:

H.R. 12697. A bill to provide Federal assistance to courts, correctional systems, and community agencies to increase their capability to prevent, treat, and control juvenile delinquency; to assist research efforts in the prevention, treatment, and control of juvenile delinquency; and for other purposes; to the Committee on Education and Labor.

By Mr. STAGGERS:

H.R. 12698. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

By Mr. MACDONALD of Massachusetts:

H.R. 12699. A bill to amend part I of the Federal Power Act to clarify the manner in which the licensing authority of the Commission and the right of the United States to take over a project or projects upon or after the expiration of any license shall be exercised; to the Committee on Interstate and Foreign Commerce.

By Mr. PERKINS (for himself, Mr. THOMPSON of New Jersey, Mr. DENT, Mr. PUCINSKI, Mr. BRADEMAS, Mr. O'HARA of Michigan, Mr. CAREY, Mr. WILLIAM D. FORD, Mr. HATHAWAY, Mrs. MINK, Mr. SCHEUER, Mr. BURTON of California, and Mr. REID of New York):

H.J. Res. 811. Joint resolution to remove the present limitation on the amount authorized to be appropriated for the work of the President's Committee on Employment of the Handicapped, and for other purposes; to the Committee on Education and Labor.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FINO:

H.R. 12700. A bill for the relief of Gaetano Rizzo; to the Committee on the Judiciary.

By Mr. HALEY:

H.R. 12701. A bill for the relief of Dr. Teobaldo Cuervo; to the Committee on the Judiciary.

By Mr. POLANCO-ABREU:

H.R. 12702. A bill for the relief of Lee Chun Hyong; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 12703. A bill for the relief of Giovanni Rampulla; to the Committee on the Judiciary.

By Mr. WALDIE:

H.R. 12704. A bill for the relief of Mr. Rafael Cisneros-Calderon; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Ballot for Peace in Vietnam

EXTENSION OF REMARKS

OF

HON. JOHN G. DOW

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, August 29, 1967

Mr. DOW. Mr. Speaker, recently I was one of a panel of four speakers, including our outstanding colleague, the gentleman from New York [Mr. KUPFERMAN], who addressed an ad hoc forum on the subject of Vietnam.

This occurred on a Saturday afternoon, August 26 last, at Ocean Beach, N.Y., a resort on Fire Island, where a great many New York City people have summer homes.

The meeting represented no group intending to advance a particular theory. It was open to the public and consisted of the public. Two of the four speakers represented a position favoring a continuation of the present course in Vietnam or an escalation thereof. Two, including myself, favored deescalation and steps toward a peaceful settlement.

My purpose in mentioning all this to you, Mr. Speaker, is to reveal the impressive and significant vote expressing the views of the audience by written ballot at the end of the meeting: 257 votes were cast in favor of deescalation or

withdrawal of U.S. troops; 27 votes were cast for escalation or support of the present U.S. policy in Vietnam.

Bureaucratic Arrogance

EXTENSION OF REMARKS
OF
HON. DAN KUYKENDALL
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. KUYKENDALL. Mr. Speaker, the latest chapter in the agonizing ITT–ABC merger saga demonstrates the human element of peevishness, arrogance and irresponsibility of governmental bureaucracy.

It is interesting to note that the Justice Department has gone into the court of appeals with its case to be based not on antitrust but on a request for remanding the proposed merger back to the FCC. It is pretty obvious that the strategy is one of delaying any decision beyond the December 31 deadline when the merger agreement expires.

By that time, the Department of Justice is hoping that the parties will be tired of legal harassment and call off the deal. If there was ever a more disgrace display of bureaucratic arrogance over the past quarter of a century, one cannot recall it to mind.

Even the manner in which the announcement was made was a nose-thumbing gesture. The Justice Department could have waited until after the Pacific Coast Stock Exchange was closed before announcing it would continue its fight against the merger.

The Government agency might argue that the closing times of stock markets are not its concern, but whoever was responsible for deciding the timing obviously took the New York market into account because the bombshell was fused to go off after the eastern close.

After the announcement, ABC stock went down on the pacific coast exchange as though someone had pulled the plug, as indeed they had, and many investors went with it. The stock plummeted 16¼ points, one of the sharpest declines in the history of the exchange in the 50 minutes of trading that were left.

The Justice Department had waited so long before announcing its opposition to the merger that most people thought it had given up. In fact, on the day of the announcement—Thursday, July 20—ABC rose 6½ points to 102 on the New York Stock Exchange amid rumors that the Attorney General would approve the merger.

The Justice Department should have made the decision earlier and let its position be known on a Friday night after all of the exchanges had closed. This would have given investors time to digest the news. While this might not have prevented selling, it is reasonable to assume trading would have been more orderly given the cooling off period.

As it was, there was not enough time even for investors on the New York Stock Exchange to appraise the situation. There was such a pile-up of sell orders on Friday morning that the exchange had to delay the ABC opening until 12:50 p.m. The stock closed that day at 80⅛, off 21⅞.

What started as an inter-governmental squabble is having wide repercussions. ABC has been given a bolo punch. The ABC stockholder is taking a beating, too, but if the merger is thwarted, the real loser will be the American public.

Memorial for Congressman Herman Toll

EXTENSION OF REMARKS
OF
HON. WILLIAM J. GREEN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. GREEN of Pennsylvania. Mr. Speaker, it is with a deep sense of personal loss that I rise to pay tribute to our late colleague, Herman Toll. Although I only had the privilege of serving with him for one term, Herman Toll symbolizes to me the vitality and vision of his party and the people of Philadelphia who elected him to four successive terms in Congress.

Reviewing the career of Congressman Toll recalls to my mind the years when my own father was the Democratic leader of Philadelphia and the leader of our city's congressional delegation here in Washington. Although young at the time, I recall vividly the high opinion my father held of Herman Toll and the many instances in which they collaborated on legislation of value to their city and its people.

Such admiration is not difficult to understand. Herman Toll worked hard and long for his people and his district. To this fact I can testify personally. Since his retirement from Congress, I have represented part of his old Fourth District in Philadelphia. Time and again residents of that area have told me that, if I were to serve them as effectively as Congressman Toll, I would more than meet my responsibility as their Congressman.

His service, then, has been a model for me as it was an indispensable source of aid and support to my father.

Equally as valuable was his own work here in Washington. Intelligent, literate, and progressive, he was in the vanguard of legislators concerned about the problems of our cities. Through his service on the Judiciary Committee, he helped to shape the national conscience toward concern for civil rights, and the preservation of constitutional safeguards for all our citizens.

Although we shall no longer have the benefit of his hard work and good counsel, his spirit remains with us today. His efforts in behalf of his people are continued by the dedication of his wife, Rose, who has succeeded him as the Democratic Party's leader in his area. And here in this Chamber, his colleagues from the city of Philadelphia, myself included, will never cease to benefit from his example.

In conclusion, on behalf of myself and my family, I want to express my deepest sympathy to Herman Toll's wife and family. He was a credit to his district, his city, and his country.

Air Force Chief Lauds Van Nuys, Calif., Air Guard

EXTENSION OF REMARKS
OF
HON. ED REINECKE
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. REINECKE. Mr. Speaker, the Chief of Staff of the U.S. Air Force, Gen. J. P. McConnell, has commended the 146th Military Airlift Wing, California Air National Guard, Van Nuys, for their unprecedented contributions to the Vietnam airlift. Joining General McConnell in the commendation was the adjutant general of California, Maj. Gen. Glenn C. Ames.

In a letter to the California National Guard commander, General McConnell said:

> I wish to extend my appreciation to all members of your airlift units who have so unselfishly given of their time and effort to alleviate the many problems encountered as a result of accelerated airlift requirements generated by events in Southeast Asia.
>
> The Air Force is especially proud of the manner in which the Air National Guard airlift units have responded to the many exceptional demands which have been placed upon them. Without mobilization of the Air National Guard—

General McConnell said—

> airlift units have made available aircraft, active duty aircrews and support personnel deployment to Vietnam and for many other tasks.

General McConnell's letter to General Ames, continued:

> The overall contribution made by these units is unprecedented. I cannot overemphasize the importance of this ready force of volunteer personnel who continue to serve the Air Force and our Nation in time of need. When the airlift units of the Air National Guard are again called upon to assist the Active Establishment, I am fully confident that they will be as "ready and able" as they have always been.

Mr. Speaker, this recognition of the work of the 146th Military Airlift Wing in Van Nuys by the Chief of Staff of the Air Force is unprecedented. But so is their accomplishment. It merits unique recognition.

The readiness of this unit sets an outstanding example for National Guard units throughout the Nation. During the first 6 months of this year the wing has completed more than 125 overwater missions; 43 flights directly into Southeast Asia and Vietnam. More than 1,510,550 pounds of cargo airlifted; 2,250,000 miles flown and 355,852 passenger miles logged. And there have been no accidents during this period. This was accomplished solely by the part-time duty of Air

Guardsmen. To accomplish this with active duty servicemen would have required 1,300 full-time, 5-day-a-week Air Force personnel.

Mr. Speaker, I am pleased to join with General McConnell in commending Brig. Gen. Raymond J. Kopecky, commander of the 146th, and his men for this outstanding job.

To Be Sure of the Safety of the Peaceful Atom

EXTENSION OF REMARKS
OF
HON. JOHN P. SAYLOR
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. SAYLOR. Mr. Speaker, if you will look on page 86 of the U.S. News & World Report for August 7, you will note the locations of the nuclear powerplants in operation, being built, and planned. Application of a few population figures will disclose that at least half of the Nation's total population will be within easy reach of at least one of these stations.

Unfortunately, the general assumption is that atomic plants must be situated sufficiently far from centers of population to prevent radiation damage in the event of an accident. The following paragraph appeared in a New York Times editorial last May 14:

> Too many catastrophies have occurred after the most solemn assurances that they were impossible—from the sinking of the unsinkable Titanic to the recent Apollo tragedy—to justify rushing approval of anything so potentially hazardous as a nuclear plant in the heart of a city of eight million people.

Is New York or any other city safe from fallout merely because the plant is situated a few miles outside the center of population? Do city lines or State lines stay off the horrible consequences of radioactivity that may waft at random according to the whims of air currents? Apparently America has been lulled into accepting such theory, but Congress cannot, in conscience, permit fables of this nature to persist if, indeed, there is even a scintilla of the danger that the Atomic Energy Commission itself has admitted is present in a reactor.

In 1957, the AEC estimated that a single accident could cost 3,400 lives, injure 43,000, and cause property damage of $7 billion. Is it not about time that these figures be updated, in view of the fact that today's reactors are 10 and more times the size of the models about which the AEC reckoned a decade ago? The answers can be made available if Congress will approve House Joint Resolution 599, which I introduced on June 1 to create a Federal Committee on Nuclear Development to review and reevaluate the existing civilian nuclear program of the United States.

Congress needs to know whether the AEC is pushing ahead too fast at too great a risk. If no danger is involved, then it is time to find out why insurance companies will not allow the homeowner to buy a single dollar's worth of protection against damage that might come from an atomic powerplant.

Parenthetically, might I suggest to my colleagues who have labored under the illusion that the premiums on their homes are an investment against the disaster that would come if an accident should take place at that atomic plant way out in the country and visit radioactive material upon your dwelling: go home tonight and get out your policies. When you find the exclusion clause that may be written in relatively small lettering, then come back here and join me in demanding to find out why we are allowing this wild dash into possible disaster. Yes, the Price-Anderson Act provides, primarily at the expense of the taxpaying public, a pot of $560 million to take care of such experiences, but that amount would not go very far among a million or more claimants. At least you would not have any local hospital bill, for the hospitals—like your home and the one next door—would be uninhabitable.

The delegations from the Middle Atlantic States should be particularly interested in the U.S. News map, for it shows that, if the Federal Government is indeed subsidizing disaster, our area is being subjected to such a proliferation of plants that not a single dwelling between Buffalo and Washington or Pittsburgh and New York City would be outside the danger zone. The finger of latent imperilment also points ominously at New England, the Great Lakes States, and at California.

But we are concerned about the safety of every State, every community, every citizen, just as we share the grief of those families in the far-away Rockies where too many miners have been exposed to lethal dosages of radiation in the perilous pace set by the AEC solely to meet its own schedule for producing the fuel necessary to serve the power reactors they are foisting upon an unsuspecting populace. Despite the abnormally high toll of uranium miners, there has apparently been no cutback in the AEC program, and Congress must assume the responsibility of determining once and for all why this inhuman policy is permitted to persist.

In this connection I should like to insert at the conclusion of my remarks a column by John Herling in the June 8 Washington Daily News and an article by Thomas O'Toole in the July 27 issue of the Washington Post. I also insert the full text of an address by the gentleman from California [Mr. HOSMER] at the American Nuclear Society banquet in San Diego on June 13.

I call attention to the distinguished gentleman's endorsement of House Joint Resolution 599, and urge our colleagues to join in support of a probe into a program that may affect the safety, just as it affects the pocketbook, of every American.

[From the Washington (D.C.) Daily News, June 8, 1967]

DEATH IN URANIUM

(By John Herling)

Suffering in silence is no good if you want action.

Not until 150 factory girls were burned to death in the Triangle Shirt Waist fire in New York City more than 50 years ago did the state begin to pass protective factory legislation. The lamentations, the remorse, the bitter self-reproaches did not make the dead live, but they struck down the obstructionists.

Today uranium miners are dying of cancer at ten times the rate in normal occupations. Over a decade tens of thousands of uranium miners have breathed harmful amounts of radioactive material. True, this takes place some distance from the metropolitan areas. But uranium death in states like Utah, Colorado, New Mexico, Arizona and Wyoming is just as criminal as violence in the streets.

The Public Health Service reports this rapid climb in the incidence of lung cancer among the miners from an odorless gas called radon. Of 3415 miners who worked in uranium mines for more than two years, 63 were found by the Health Service to be suffering from lung cancer. Based on the degree of exposure, within the next 20 or 30 years between 200 and 1000 of the men examined will die of this slow death caused by radon.

Now these men won't go all in a group. They will die alone. There will be no jumping from windows, no photographers to catch the bodies as they fall—but they will be dying from criminal neglect just as surely as those tragic Triangle Shirt Waist girls.

Thus far only one state, Colorado—where most deaths have occurred—recognizes lung cancer in miners as an occupational disease and pays compensation to families. The industry takes her man and the wife gets the money. Some exchange!

For years, men like Leo Goodman of the AFL–CIO Industrial Union Department have been shouting warnings against the danger of radiation hazards. Bearers of bad news, from Cassandra down, have never been popular. Slowly a union here, a union there has joined in the warning. But there has been no orchestration of indignation, no concentrated drive to save these miners.

Now Labor Secretary Wirtz, fed up with the tardy movements of the Federal Radiation Council, the Atomic Energy Commission and the Defense Department has moved to exercise his powers under the Walsh-Healy Act. He has issued an order withholding government contracts from mine owners who fail to install machinery to freshen air underground to a safe working level. The opposition is giving him a hard time.

Academic experts—hired out as consultants to private companies—pooh-pooh the Wirtz position that death from cancer in the uranium mines can be prevented at some extra expense. To those who say that his standard of safety is too strict and will close down a mine, he replies: "The controlling question will remain of whether a looser standard will close down a man."

To those who protested that the statistical evidence is incomplete as to just how many have died or will die from lung cancer clearly attributable to radium exposure in the uranium mines, he says: "the controlling reply will be that some undeniably have."

"If the point is made that there is always some human cost of industrial advance, or even of normal commerce, the answer is that none of it can be condoned. That the ground troops, working men and women, paid with their lives for the industrial revolution is no proper precedent for the technological revolution."

[From the Washington (D.C.) Post, July 27, 1967]

URANIUM MINE LEVEL OF EXPOSURE DECRIED

(By Thomas O'Toole)

The Committee for Environmental Information, a non-profit organization founded to foster debate on scientific policy, told Congress yesterday that the new radiation exposure level recommended for U.S. uranium mines is unsafe.

"Any miner exposed to the new standard

for eight to 33 years," the Committee's Dr. Malcolm Peterson told the Joint Committee on Atomic Energy, "many have double the risk of dying of lung cancer than he would in some other occupation. Out of every 2000 miners exposed under the new standard, we can expect 10 to die of lung cancer—twice the number expected in a similar group in the general population."

Dr. Peterson was objecting to a recent recommendation by the Federal Radiation Council that uranium miners be exposed to no more than one "working level" of radiation in their time on the job.

As defined by the Atomic Energy Commission, one "working level" is the amount of alpha radiation (the source in underground uranium mines) equal to about 650,000 million electron volts—the same number of alpha rays generated by a small particle accelerator in operation.

The decision by the Federal Radiation Council to set one working level as the level of radiation a miner must not exceed in his lifetime came after two years of study by the Council staff and 17 years of study by the Public Health Service. Its recommendation of one working level was made over the objections of the U.S. Department of Labor, which wanted to set a limit of three-tenths of a working level.

In past years, the radiation exposure to uranium miners went as high as seven "working levels," a condition most health experts believe led to an estimated 115 deaths from lung cancer in a mining population that was never higher than 5600.

This is a lung cancer rate almost ten times that expected in the general population.

At last count, the uranium miners were being exposed to about 1.7 "working levels" of radiation. To get that down to the one working level recommended by the Federal Radiation Council, Dr. Peterson said yesterday, will cost about $4 million—for the filters and fans to improve mine ventilation, for protective masks for the miners and for better radiation monitors in the mines as warning devices.

"Control measures could reduce the working level to three-tenths" of the level suggested, Dr. Peterson said. "This would cut the exposure to a level at which only miners working 28 years or longer would receive a doubling dose"—one strong enough to double the risk of lung cancer.

"We would like to suggest." Dr. Peterson said, "that this Committee (Joint Committee on Atomic Energy) ask for the figures it will cost to lower the risk. How much in dollars and cents does it take to outweigh health?"

The Committee for Environmental Information—for whom Dr. Peterson spoke yesterday—is a Nation-wide group of 1000 scientists and civic leaders based in St. Louis. Formerly known as the Committee for Nuclear Information, it takes no strong stands on science policies but pushes for full disclosure of scientific facts.

TEXT OF REMARKS BY CONGRESSMAN CRAIG HOSMER AT AMERICAN NUCLEAR SOCIETY BANQUET, SAN DIEGO, CALIF., JUNE 13, 1967

I am happy the ANS picked my State for its meeting this year—and particularly the San Diego area because such important progress has centered here during the past weeks:

A giant nuclear desalting plant in which San Diego Gas and Electric is a major participant has passed the planning and authorization stages and will become a reality of meaningful scope in the peaceful application of nuclear resources.

Also, nearby General Atomics appears to have survived its tribulations as the advanced converter pioneer in the form of significantly trouble-free full-power runs at the Peach Bottom HTGR.

I mention these two companies specifically due to their geographical proximity. Indeed, the entire United States nuclear effort in all its ramifications and you, and all the people in it, deserve commendation. During these past two short decades since the peaceful atom was unwrapped, American free enterprise in partnership with federal government enterprise has racked up an astounding unparalleled record of progress and accomplishment.

Of course, at American Nuclear Society meetings things like that are likely to be said. One of our critics, Congressman John Saylor from deep in the Pennsylvania coal country, charges that we are something like the man in front of the mirror who mutters "how handsome I am." He has introduced H.J. Res. 599 creating "a Federal Committee on Nuclear Development to Review and Reevaluate the Existing Civilian Nuclear Programs of the United States." His resolution would bar from membership on the Committee any member of the AEC or the Joint Committee—and apparently anyone else likely to be predisposed. Personally I am strongly supporting the Resolution. If the Committee does its job, it can only confirm what we have been telling ourselves all along.

You are familiar with that splendid record and I do not intend tonight to belabor the statistics on new nuclear generating plants, or enumerate proliferating isotopic applications, or call the roll of peacetime nuclear heroes and so on. We are not about to relax on our laurels, anyway. I believe a better thing to do is to make a brief assessment of where we are in relation to the future, quickly identify the players in our game and then get into some speculation as to the roles government and industry are likely to play in the future, for they may be different than in the past.

WHERE WE ARE

So, to the first question: Where are we? This is something that really cannot be answered quantitatively or in much of any way except by order of magnitude comparison. That comparison, as I see it, pegs us at around the early Model T era both in technology and as to the peaceful atom's sociological acceptance and consequences. We have a long way yet to go and a vastly larger industry is in the making. The role of government, on the other hand, logically should diminish—but as a practical matter at a slower rate than some would like to see.

WHO THE PLAYERS ARE

This is apparent when one reviews the cast of characters on the nuclear stage representing industry, government and the academic community:

Industry: This is the free enterprise element who wants to make a buck. And that is a very good goal. It has made America the greatest economic force in the world's history. It works just as well with the atom as it does with any other industry. The vast numbers of megabucks involved in getting the nuclear industry underway with the speed it is exhibiting were just not within the sole capacity of free, private enterprise to provide. It was necessary for government enterprise to come up with supplemental support which directly and indirectly runs in excess of a billion dollars a year. I suspect this government enterprise was inspired less by a clear view of the peaceful possibilities of the atom than it was by a tacit acknowledgment of a kind of national guilt complex arising from its initial military use. Spearheading swift civilian developments probably can be classified in the category of an atonement.

Continued large research and development costs to round out the national nuclear power capability in the form of advance converters and breeders makes continued substantial government participation in these areas mandatory for another 15 years or more. Of course factors like the impact of many civilian developments on military weaponry and security, safety, licensing, and regulation and other responsibilities will keep government in the picture indefinitely. However, not necessarily with money or control comparable to the present. Industry should be given as much opportunity as possible to permit economic forces to determine its future without regard to unreasonable government interference. An example of what I consider unreasonable interference is the recent AEC decision to put gas centrifuge technology under wraps on the theory this will delay nuclear weapons proliferation. If IAEA inspection is good enough to police plutonium, it ought to be good enough to police U235. Efforts to uninvent the wheel only make the AEC look silly.

Universities: Universities as operators of AEC facilities have performed a splendid service which I hope will continue. They have played an even larger and more vital role in the production of Ph D's. This will continue both by outright grants of various types and by a wide spectrum of research contracts. In contrast, I believe the so-called scientific community, as such, with its great public prestige and imperial command on federal dollars is due for a somewhat harsh awakening which I will discuss a little later.

Government: Government participation in civilian atomic affairs has been unique and extra-ordinary not just because of the depth of involvement legislated by the Atomic Energy Act, or because of vast public appropriations, or the extent to which international atomic activities have been fostered or the rigid adherence by both Democratic and Republican Administrations to an unswerving Atoms-for-Peace philosophy. Rather, it has been so because of the unflagging strength and zeal with which both the Atomic Energy Commission and the Congress, as represented by the Joint Committee on Atomic Energy, first, have pursued their responsibilities, *AND*, second, have, shall we say euphemistically, cooperated with each other, or say realistically, competed with each other.

The net result is that—with exceptions of course—vacuums which might otherwise have arisen as to in government participation in civilian nuclear enterprise have been rather quickly filled by one or the other of these authorities.

Now it is alleged by some that AEC is passing through a menopause of spirit and purpose. That the objective of the 1946 Atomic Energy Act—the development of weapons—and the purposes of the 1954 Act—the development of peaceful uses—have been achieved and that the Commission should fade away and let the market place take over. To that let me say we have reached the millennium neither in weaponry nor unassisted civilian applications. AEC still has plenty of pep and nuclear sex appeal. Right now it is even taking some anti-monopoly birth control pills in the form of a comprehensive study of competition in the industry. More power to it. One or two companies dominating the field interested only in marketing bread and butter types reactors can tend to squelch innovation and progress. This situation has a parallel in the development of jet aircraft engines. Standard piston engine suppliers made regular and progressive refinements of their products. But the radically innovative jet engine emerged from other sources. Competition prevents monopoly and it fosters innovation. AEC's enterprise in going ahead with this study will serve the nation well.

We also hear allegations that the Joint Committee is a monolithic structure, akin almost to the Kremlin, hell-bent on self perpetuation and on ruling the nuclear affairs of this country by fear and intimidation. None of this do I deny. But, by way of confession and avoidance, I make my own allegation that the Committee has been instrumental in pushing many of the accomplishments which have permitted both industry and our national defense to reach their pres-

ent stage of development. In the future as in the past the Committee will seek to insure United States preeminence across the entire spectrum of nuclear excellence.

Some people have asked me if all this will change drastically in the event the 1968 elections put a Republican in the White House to control AEC appointments and/or shift the JCAE majority and its chairmanship from Democratic to Republican. Based on the experience of the 1954 election and my own notions I would answer that changes there would be, but I doubt if they would be cataclysmic. For one thing, conditions underlying the cooperatively competitive relationship between the Commission and the Committee are extraneous to political circumstances. For another thing, both the Commission's operational programs and the Committee's legislative plans are rather long range in nature and essentially responsive to environmental conditions other than the political climate.

Therefore, whose political star shines brightest over Washington after November 1968 is likely to influence the pace and dimension of changes already underway rather than to alter precipitously their direction and nature.

FUTURE ROLE OF GOVERNMENT, INDUSTRY, AND OTHERS

In any event these changes will affect the relative roles of government and industry and others in the future. They must be reckoned with by all of us and in the remaining time I want to touch lightly on a few of them.

The scientists

First let us take inventory on the nuclear physicists, chemists and any other disciplines to which by any stretch of the imagination the adjective "nuclear" could be applied. Once the wraps were taken off the Manhattan Project and Los Alamos, Hanford, Oak Ridge and other names became romantic fantasies, the American public engaged in a great love affair with science and scientists. The latter were figuratively ensconced in a "Temple of the Living Gods," located immediately adjacent to the Federal Treasury with only swinging doors between. Time and the high cost of accelerators and other basic research tools have altered circumstances considerably.

A greater public appreciation has developed of the need to encourage and support engineers to put to public use the knowledge gained by scientists. Where previously congressmen and senators worried mostly about the proper allocation of public support for basic research between the various disciplines, now they worry about the allocation between basic research and practical developments for public use. It is safe to say that the "easy money" days for scientists are slipping into history.

The Government laboratories

It is also safe to predict that a searching examination of what already is known as the "government laboratory problem" is in the offing. Within the AEC itself the issue is how many and what kind of laboratories it should operate. Without being specific, I think the answer will be "less", not "more." Also within the AEC is the broader issue of the logic or illogic of its budgetary and management responsibility for large and expensive basic research programs which are loosely atomic related but might more appropriately come within the province of some agency more fundamentally oriented toward basic science only. I have in mind here the high energy accelerators as well as the possibility of revising and enlarging the charter of something like the National Science Foundation to encompass their operation.

Laboratories operated by the Defense Department and many other government agencies are part of this total picture as well as the nongovernmental laboratories and universities with which extensive research contracts are maintained. Because the "in-house" laboratory problem is government-wide and because it is pressing, I think the AEC and the JCAE well might take an initiative in solving it in order both to set a government-wide example and to prevent AEC, if it fails to take early action, from being swept into some generalized scheme of reform which may not particularly fit its needs.

AEC peripheral activities

Somewhat akin to the laboratory problem, because it does involve research as well as development, is the issue of how much AEC should continue to promote peacetime civilian nuclear applications in such fields as medicine, biology, food preservation and similar activities. Those who sternly predict that once government gets into any kind of business "it never gets out" must be amazed to see how swiftly and voluntarily AEC relinquishes its isotope production activities the moment private operators can supply the market. The activities from which the AEC might recede I am talking about at this particular moment, however, fall into a different category than isotopes.

In medicine, biology and like areas we do not find a large involvement of private enterprise. The traditional responsibility has been one of government at some level, universities, research foundations and so forth. So the question really is, should the AEC be financing and managing the efforts because they are nuclear related, or should the AEC be urging those who traditionally have operated in an area to assume its nuclear related aspects as quickly as possible? I favor the second alternative.

In food processing and other applications of ionizing radiation by private industry the question boils down to the rate of progress you want to make as a matter of national policy. Perhaps we have tended to overestimate the economic and prestige rewards from moving here at forced draft rather than at a pace determined and financed by industry itself.

By way of contrast, space nuclear power has just one customer, the government, so private enterprise in this area is limited to the prime and subcontractor role. The questions government has not satisfactorily answered respecting it are simply what do we want to put in space and when. Space auxiliary nuclear power is another matter. The rapid penetration of industry into the ocean environment which makes similar power demands, brings government and industry back into partnership on this one.

Raw materials

Having just taken you quickly from outer space to under the oceans, I'd now like to take you to inner space for a moment—into the uranium mines from which the nuclear industry gets its basic raw material. These have been much in the headlines recently and the Joint Committee still is in the midst of extensive hearings on the uranium miner lung cancer problem. In the 1950's the national interest dictated discovery and production of vast quantities of uranium ore. The AEC dutifully and very successfully established a program of prizes and incentives which accomplished the objective. It has done a reasonably good job since of withdrawal in favor of private industry as the prime force sponsoring additional exploration and production. However, from the recent request of the Colorado Springs Operations Office for money to spend on large scale geological surveys, ore beneficiation research and the like, I gather that the spirit of bureaucratic empire building is not entirely dead within the AEC. Resurgent activity in the mining and milling industry leads me to believe, however, that it will be able to supply the new surge of yellow-cake demand even if Colorado Springs does not get all the money it asked for.

In its past efforts to spur uranium production the Commission logically and wisely refrained from attempting to nationalize the mining industry or regulate the mines. That was recognized as an area of state jurisdiction and responsibility. On that basis it was left to the states. Yet the Joint Committee and the Commission because they did so, have been subjected to the severe criticism that they have been neglectful in the matter of radon daughter induced lung cancer amongst the uranium miners. As pitiful as these cases are, it seems to me that we adopted a national philosophy of weaving the emerging nuclear industry into our existing political, economic and social fabric as normally as possible and therefore, that Labor Secretary Willard Wirtz's hasty move to put the government into the mines by way of Walsh-Healey Act regulation is not wise.

His regulation, according to testimony, is impractical and unenforcible. Instrumentation does not exist by which the required .3 working level radon concentrations can be monitored. Already the regulation has had to be amended to cure defects in the definition of the .3 level and to avoid closing down all our mines.

Standards and specifications

I believe the basic fault in this instance, if it can be pinpointed at all, is a lack of proper standards to guide the states in establishing their safety regulations.

In 1959 the Joint Committee attempted to create machinery to provide such safety guides for exposure to radiation. It gave statutory recognition to the Federal Radiation Council to assure their orderly, comprehensive and scientifically sound treatment. The Council was set up to permit inputs from all the executive agencies having talents and responsibilities in the field—AEC, HEW, Labor and others.

The first major radiation problem the Joint Committee recognized and handed FRC in 1961 was the development of protection action guides covering radioactive fallout. At the time, you will recall, atmospheric weapons tests were creating hot spots. In this case we got the FRC to come through, but it wasn't easy.

We had to call hearings in both 1962 and 1963 to keep things moving. We also wrote a lot of letters and finally got the protection guides in 1964.

As soon as these were out FRC work was directed toward radiation exposure of uranium miners. I have no doubt that its staff worked hard to come up with the needed guides, but it was obvious the progress was too slow. Again the Joint Committee jumped in to move things along. As soon as we scheduled hearings, the next meeting of the Council was moved up to complete action on the guides beforehand. This was fine. But then things blew apart. FRC met on May 4th and there was a split decision. The object was to get together again and make one. But, somebody lost the script. The Secretary of Labor overreacted, bolted and put out his proposed regulation. This pre-empted FRC action and, even more seriously, the proposed order by Labor was garbled in a number of technical aspects.

In summary the way we laid things out when we passed the statute setting up the FRC broke down and something has to be done about it. What should be done? Abolish the FRC and reorganize the executive to handle these problems? Strengthen the FRC to take care of this job? Or what?

I don't have the answers—only the questions. But I do know, as you know, that not only safety in the mines, but safety throughout the nuclear industry as well as public safety depends on getting them. And further, that the entire matter of standards and specifications in the broad sense is critical to the growth and development of the nuclear power

industry. They are needed by the purchasers of reactors. They are needed by the manufacturers and by their suppliers. They are needed in order to avoid a breakdown of the licensing and regulation process in the face of the avalanche of new nuclear power plant orders.

Milton Shaw deserves great credit for zeroing in on this particular problem and working with all concerned to come up with some of the answers.

Advanced converters and breeders

Mention of Shaw's name, of course, brings up the bitter issue of the best way to go about developing breeder reactors—a program in which private enterprise and government enterprise find themselves in ambiguous, uneasy, but necessary partnership. Milt wants to go the component development route. Industry wants a comprehensive approach, on the theory its objective is not building components, but whole reactors. When listening to Shaw I find myself favoring his approach and when listening to industry I favor its approach. I like to feel that this is not because I am whishy-washy but because I believe that the magnitude of the job—and the resources both government and industry eventually will devote to it—will permit both approaches.

Nor do I wish, by this emphasis on the breeders, to imply any belief that advance converters are in danger of disappearing from the mix of nuclear power systems this nation and the world eventually will end up with. It long has been the custom of a few key members of the Joint Committee to meet informally with both government and industry representatives to exchange views on specific major problems. We have listened individually to lots of discussion, estimates and speculation from burner, advance converter and breeder proponents. We have heard lots about sodium, steam, gas and other coolants. I think the time is reasonably close when we should bring them all together at a formal hearing and get a better fix on when and in what proportion these various type of reactors can be expected to capture their markets.

Controlled thermonuclear reactors

I believe, in evaluating these remarks, we cannot neglect the very real possibility that controlled thermonuclear reactors may be in the picture, too. The Joint Committee actively supports the program and regularly endorses an ever increasing budget. Progress in understanding and suppressing plasma instabilities is excellent. It would be reckless to expect a quick breakthrough in CTR. But it would be even more reckless to expect none at all. When it comes I am certain industry will move swiftly to exploit it.

Plowshare

Since some of you probably think I am pretty far out on the fringes talking about controlled fusion and since my time is about exhausted, to conclude I will just switch to another area many believe is on the fringes but I do not. It is Plowshare. Recently EG&G's Herb Grier, wearing his hat as Presdent of CER Geonuclear Corporation, explained why his company, Continental Oil and Reynolds Electric are pouring substantial sums not only into the Gasbuggy Project to liberate natural gas locked in hard shale, but to set themselves up in the general nuclear rock crushing business on a permanent basis.

Where else, asks Grier can you buy TNT for 30 cents a ton? And, how else can you stuff kilotons of it underground through an eight-inch hole?

Considering the locked up reserves of natural gas alone, Grier estimates that in five to ten years there will be 1,000 shots a year and a total of 30,000 shots is needed in the United States alone. This is a lot of business. I hope the enterprises amongst you will not let CER get it all.

But that is only one area of Plowshare application. It's techniques should be applicable to oil as well as natural gas recovery. As of this week the AEC has a team in Pennsylvania looking into the use of Plowshare to create vast underground storage cavities for natural gas imported into that state from elsewhere.

Our old friend Norman Hilberry of Argonne Laboratory went to Arizona to retire but instead he is developing a scheme to use Plowshare to solve that state's critical water shortage. He would use underground nuclear explosives to develop giant catch basins to retain the State's rainfall, 98% of which is otherwise lost to evaporation.

Then there is the intriguing idea—Plowshare heat sinks. Where there is a potential thermal pollution from a new power plant, before its construction, a Plowshare underground cavity could be blasted which would "cool down" while the plant is built. Then the excess btu's from cooling might be dumped in the cavity as an alternative to thermal pollution or dissipation from towers. Some people think the heat sink idea might even be practical for systems of central heating in winter and cooling in summer for entire cities. I close with these far-out thoughts mostly to underscore my estimate that our atomic industry today really is still in the Model T era and that great opportunities and great rewards lie ahead for anyone with enterprise.

Status of Cardinal Joseph Mindszenty, Primate of the Hungarian Roman Catholic Church

EXTENSION OF REMARKS
OF
HON. PAUL A. FINO
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. FINO. Mr. Speaker, today we are reminded of one of the gravest outstanding issues in Eastern Europe, as far as religious freedom is concerned. I am referring to the continued enforced presence of Cardinal Mindszenty as a political refugee at the American Embassy in Budapest which now has lasted almost 11 years.

How can we think about trade expansion, most favored nation clauses, cultural exchanges, and technical information releases with a Communist country that fails even to conform to the minimum of international standard, the respecting of the highest church officials of its people? How can one speak of liberalization and religious freedom when the one archbishopric is unfilled, the other is filled by a man who is gravely ill and is over 75 years of age, and the third one is kept from fulfilling his ecclesiastical functions—I mean Cardinal Mindszenty—by an illegal sentence that would not hold up even in a present Hungarian Communist court?

Mr. Speaker, it is with admiration that we salute the cardinal who has the physical and moral courage to stay in virtual isolation for 11 years after a prison sentence of 10 years rather than to abandon his faithful and compromise the basic rights of the church. I hope that our administration will concentrate on this case in order to promote an equitable solution of the same.

Counter-Deterrence and the ABM

EXTENSION OF REMARKS
OF
HON. BOB WILSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, August 29, 1967

Mr. BOB WILSON. Mr. Speaker, that trenchant observer of the American scene, Will Rogers, once observed that in the field of disarmament Americans had a tendency to scrap battleships while their opponents tore up blueprints. Something of this American tendency of an almost extremist good will is in evidence today with reference to the question of anti-ballistic-missile defense. We talk and talk in the hope that we can persuade the Soviet Union to dismantle its present anti-ballistic-missile system and to refrain from going ahead with further missile defenses. The Soviets stall in the negotiations while continuing to build and deploy their ABM's.

SOVIET CAPABILITIES AND INTENTIONS

The recent study prepared by a special subcommittee of the National Strategy Committee of the American Security Council entitled "The Changing Strategic Military Balance: U.S.A. versus U.S.S.R." has stated that—

> The preponderance of evidence points to the conclusion that the Soviet Union is succeeding in its massive drive toward strategic military superiority . . . (and that) the year 1967 falls in a crossover period with the U.S.S.R. estimates ranging between 16,000 and 37,000 (deliverable) megatons, to equal or exceed the U.S. estimated range of between 8,000 and 29,000 (deliverable) megatons.

This study, with its graphic documentation of the Soviet thrust for military-technological superiority, has received, and continues to receive, widespread attention from leading editors and authorities in both the daily and the periodical press. The New York Times, for example, in a front-page story on July 12, 1967, stated that—

> *The Defense Department did not directly contradict the study's findings,* but argued that deliverable megatonnage was not an accurate indicator of "true military capability."

It has been argued in some quarters in the West, however, that Soviet capabilities as illustrated by the Soviet deployment of an ABM system need not be a cause for alarm, since Soviet intentions are peaceful and the cold war is, in fact, over.

But are the Soviet leaders mellowing? Unfortunately, the most recent evidence would appear to indicate that storm flags are flying in the Kremlin. Some storm signals are:

First. The official pronouncement of the Communist Party of the Soviet Union issued June 25, 1967, in a summary of 50 years of bolshevism. It stated that

"the domination of imperialism on the world scene has ended" because of the growth of Soviet military power. The statement also singled out the United States as the "main enemy" of the national liberation warfare movement and charged the State of Israel with aggression.

Second. Appointing—for the first time since Beria's execution in 1953—the Soviet secret police chief a member of the ruling Politburo. This is Yuri Andropov, whose promotion was announced June 22, 1967. Since the KGB—the Soviet secret police—have vast responsibilities for waging unconventional warfare around the world, it would appear that giving Andropov such power indicates stepped-up cold war operations.

Third. Writing in the official Soviet Armed Forces newspaper, Red Star, on June 3, 1967, Bulgarian Minister of Defense, General of the Army Dobri Dzhurov, said:

> The Soviet Union has always been and *will continue to be the main political and material base of the world revolutionary process.* (Emphasis added.)

The general also went on to say that—

> The Soviet Union constitutes the main support of fighting Vietnam.

Fourth. Soviet escalation of the Vietnam war is another example of the Soviet's true intentions. Soviet shipping going into North Vietnamese ports has shown a marked increase this year over 1966. As of June 1967 the rate was 18 per month, with an additional two to five Soviet satellite ships per month. Indicative of this escalation is the Moscow Radio broadcast of July 28 which stated that Soviet ships "leave Odessa practically every day with cargoes for Vietnam."

Fifth. The recent hard line in the Soviet press which continually attacks Israel, "Zionism," and the United States. In reporting this trend from Moscow, the Washington Post of August 8, 1967, stated that the press campaign was one which "to some senior diplomats here recalls the worst days of the cold war."

These indicators of increasingly "stormy cold war weather" indicate that Soviet strategists understand quite well that revolutionary agitation and propaganda, "peace marchers" in London and New York, guerrillas in Africa and Latin America, are techniques of conflict on a par with guided missiles and nuclear submarines. But does it follow that these same Soviet strategists are unaware of the possibilities for nuclear blackmail of the West in the event that they attain strategic military-technological superiority? Indeed, one may well ask whether the present U.S. limitations on air strikes against military targets in North Vietnam result from the steady accretion of Soviet military-technological power.

CHINESE COMMUNIST NUCLEAR WEAPONS DEVELOPMENT

Even if it were possible to disregard the evidence of the Soviet deployment of an ABM system or systems and the counter-deterrence which this poses to the announced U.S. policy of deterrence, it would be still more difficult to close our minds to the ominous developments in China.

The Chinese Communists exploded their first H-bomb on June 17, 1967. It was apparently a sophisticated implosion type in the two-to-seven megaton range. The complicated electronic triggering and measuring devices that would appear to have been required, in this and other nuclear tests, would be of great assistance to the Chinese in building an intercontinental missile. Since the Chinese progress in nuclear weapons development has been faster and more effective than had been anticipated by Western sources, it may be that they will also develop a nuclear ICBM delivery capability sooner than the mid-1970's, which is the time phase previously estimated by Western sources. Moreover, the Chinese now possess the design capability for a multimegaton thermonuclear weapon which can be delivered by aircraft.

The possibilities of the Chinese Communists exercising nuclear blackmail against Southeast Asia countries, Japan, or, indeed, against the United States are underscored in a report released August 3, 1967, by the Joint Congressional Committee on Atomic Energy. The committee said:

> We believe that the Chinese will continue to place a high priority on thermonuclear weapons development. With continued testing we believe they will be able to develop a thermonuclear warhead in the ICBM weight class with a yield in the megaton range by about 1970. We believe that the Chinese can have an ICBM system ready for deployment in the early 1970's. On the basis of our present knowledge, we believe that the Chinese probably will achieve an operational ICBM capability before 1972. Conceivably, it could be ready as early as 1970–1971.

The Joint Committee then went on to sound a warning about the direct threat to U.S. national security posed by Chinese Communist nuclear weapons developments by pointing out that—

> Most significant for the United States is the fact that a low order of magnitude attack could possibly be launched by the Chinese Communists against the United States by the early 1970's. At present we do not have an effective anti-ballistic-missile system which could repel such a suicidal (for the Chinese) but nevertheless possible strike.

THE STABILIZING VALUE OF A U.S. ABM SYSTEM

In the final analysis, the value of a system of deterrence is that which the enemy believes about it. If the Soviets believe that the U.S. deterrent offensive force can be neutralized by their ABM systems to a point at which the Soviet warmaking capability will sustain only an acceptable level of damage—and, of course, their acceptable level may be much higher than ours—then they have achieved a counter-deterrence posture which may lead them to risk—at a given crisis in international relations—a nuclear war.

Equally, if at some future point the Chinese Communists should believe—in the absence of a U.S. ABM system—that there is somewhat more of a "suicidal" element for the United States than for them in a nuclear war, they might, in a given confrontation, launch a surprise nuclear attack on America.

The evidence of the post-World War II period suggests that it has been the stabilizing factor of U.S. military-technological power which has prevented a general war. Today, under the impact of both the Soviet and Chinese Communist military-technological thrust, that stability appears to be threatened. Would the production and deployment of a U.S. ABM system—perhaps even on a crash basis as a clear demonstration of credibility—have a definite stabilizing value on world politics? That it might well do so is indicated by the thoughtful and carefully measured words of the Senate Appropriations Committee. In reporting on the Defense Department appropriation bill for fiscal 1968—August 4, 1967—the committee said:

> It is the view of the Committee that the deployment of the Nike–X antiballistic missile system should be initiated immediately, and the Committee urges the executive branch of the Government to take action accordingly.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 30, 1967

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

He that loveth not knoweth not God; for God is love.—1 John 4: 8.

God of love and Lord of mercy, lay Thy hand upon us and hold us steady amid the troubles of this time. The days come and go so fast that we lose our grip on life. We hurry here and there and wonder why we are weary and worn out. We are slaves rather than masters. In fact our work controls us rather than in faith we control our work.

Halt Thou our haste, heal our ailing spirits, direct us in the doing of our duty, stay Thou with us and we with Thee until we come to ourselves. Then let us arise with a strength born of Thy spirit to face the tasks of this day with courage and to keep our faith even against the fury and violence of a world which has lost its true purpose and real destiny.

Abide Thou with us and encourage us to do Thy will that we may be open channels through which Thy redeeming love may flow to heal the differences between men and nations. In the Master's name, we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without